

## City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive  
January 11, 2006

Mayor David Dermer  
Vice-Mayor Richard L. Steinberg  
Commissioner Matti Herrera Bower  
Commissioner Simon Cruz  
Commissioner Luis R. Garcia, Jr.  
Commissioner Saul Gross  
Commissioner Jerry Libbin

City Manager Jorge M. Gonzalez  
City Attorney Murray H. Dubbin  
City Clerk Robert E. Parcher

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### ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

### REGULAR AGENDA

#### R2 - Competitive Bid Reports

- R2A Request For Approval To Purchase, Pursuant To Florida State Contract No. 04-12-0823, Twenty-Three (23) 2006 Crown Victoria Police Pursuit Vehicles, One (1) 2006 E-350 Cargo Van, Six (6) 2006 E-250 Cargo Vans, Four (4) 2006 E-150 Cargo Vans, Two (2) 2006 Taurus, And Three (3) 2006 F-250 4x2 Crew Cab Pick Up Trucks, From Duval Ford, In The Amount Of \$718,662.00; Twelve (12) 2006 Impala Police Pursuit Vehicles, From Classic Chevrolet, In The Amount Of \$227,467.80; Two (2) 2006 F-150 4x2 Pick Up Trucks, From Don Reid Ford, In The Amount Of \$26,412.30; And Pursuant To State Of Florida Contract No. 070-001-05-1, One (1) 2006 Impala Administrative Vehicle, From Garber Chevrolet, In The Amount Of \$15,563. (Page 260)  
(Fleet Management)
- R2B Request For Approval To Purchase One (1) 2006 Pierce 100' Aerial Platform On Pierce Dash-2000 Chassis Ladder Truck, From Ten-8 Fire Equipment, Inc., Pursuant To Florida State Contract No. 05-06-0823, In The Amount Of \$870,609.00. (Page 265)  
(Fleet Management)

**R5 - Ordinances**

- R5A An Ordinance Amending Ordinance No. 1605, The Unclassified Employees Salary Ordinance, By Establishing The Classifications Of Bicycle Program Coordinator, Case Worker II, Chief Building Code Compliance Officer, Chief Fire Protection Analyst, Community Information Coordinator, Emergency Management Coordinator, Environmental Resources Manager, Film & Event Production Manager, Grants And Operations Administrator, Labor Relations Director, Labor Relations Specialist, Landscape Projects Coordinator, Management Consultant, Media Assistant, Neighborhood Services Projects Administrator, Park Facility Manager, Radio Systems Administrator, Senior Management Consultant, Senior Network Administrator, Senior Systems Analyst, Senior Systems Administrator, Senior Telecommunications Specialist, Systems Administrator, Systems Analyst, Telecommunications Specialist, Traffic Engineer, Transportation Manager, Truancy Prevention Program Coordinator, Urban Forester, And VOIP Network Administrator; Amending The Grades Of The Classifications Of Network Administrator, Procurement Coordinator And Senior Procurement Specialist; Further Providing That The City Manager May Approve A Market Rate Analysis (MRA) Of Up To 20% Above The Maximum Pay Range, In Determining Appropriate Adjustments For Positions That Require Special Skills, Certifications, Or As A Result Of Market Conditions, And Providing That The City Attorney Shall Approve The MRA's, As Set Forth Above, For Attorneys In The Legal Department; Providing For A Repealer, Severability, Effective Date, And Codification.

**10:15 a.m. Second Reading, Public Hearing** (Page 285)

(Human Resources)

(First Reading on December 7, 2005)

- R5B An Ordinance Amending Miami Beach City Code Chapter 2, Article III, Division 2, Entitled "The Barrier-Free Environment Committee," Section 2-31 Thereof So As To Change The Name Of The Committee From "Barrier-Free Environment Committee" To "Disability Access Committee"; Providing For Repealer; Providing For Severability; Providing For Codification; And Providing For An Effective Date. **10:20 a.m. Second Reading, Public Hearing** (Page 300)

(Public Works)

(First Reading on December 7, 2005)

- R5C DRB Scope and Exemptions

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 118, "Administration And Review Procedures," Article VI, "Design Review Procedures" By Clarifying The Scope Of Review Of The Design Review Board As It Pertains To Single Family Homes And Townhomes; Providing For Repealer, Codification, Severability And An Effective Date. **10:25 p.m. Second Reading, Public Hearing** (Page 307)

(Planning Department)

(First Reading on December 7, 2005)



**R5 - Ordinances** (Continued)

- R5D An Ordinance Amending Chapter 46 Of The City Code, Entitled "Environment," By Amending Article IV, Entitled "Noise," By Amending Section 46-151, Entitled "Definitions," To Provide New Terms And Definitions And Deleting Certain Terms And Definitions; Amending Section 46-152, Entitled "Unreasonably Loud Noise Prohibited," By Amending The Title And Adopting Section 21 - 28 Of The Code Of Miami-Dade County By Reference; Amending Section 46-153, Entitled "Responsibility For Compliance," By Amending The Provisions Thereof; Repealing Section 46-154, Entitled "Noise Level In Specific Area"; Repealing Section 46-155, Entitled "Additional Sound Limitations For Public Property"; Amending Section 46-156, Entitled "Temporary Permits," By Expanding The Prohibited Areas For Construction Noise To Within 300 Feet Of Certain Districts And Amending The Exemptions For Special Events And Film Permits; Amending Section 46-157, Entitled "Exemptions," And By Deleting Subsection (11) And Amending The Provisions Thereof; Amending Section 46-158, Entitled "Enforcement By Code Inspectors; Notice Of Violation," By Amending The Procedures For Enforcement And Warnings; Amending Section 46-159, Entitled "Civil Fines For Violation; Appeals," By Amending The Fines And Penalties For Violations, The Appeal Procedures, And The Alternate Means Of Enforcement; Amending And Renumbering Section 46-160, Entitled "Nuisance," As Section 46-161, And Renaming Section 46-160 As "Relief From Violations For Sound Systems And Compliance" And Creating Provisions Therefore; Amending And Renumbering Section 46-161, Entitled "Motor Vehicle Alarms" As Section 46-162 Which Is Hereby Created; Providing For Codification, Repealer, Severability, And An Effective Date. **5:01 p.m. Second Reading, Public Hearing** (Page 314)

(City Manager's Office)  
(First Reading on December 7, 2005)

- R5E An Ordinance Amending The Code Of The City Of Miami Beach, Florida, Amending Chapter 82, "Public Property," Article II, "Sale Or Lease Of Public Property," Sections 82-36 Through 89-40, To Expand The Applicability Of The Ordinance To Include Vacations Of Easements, Alleys, Rights-Of-Way, Or Any Other Conveyance Or Reduction Of The City's Interest In Real Property; Providing For Inclusion In The Code Of The City Of Miami Beach, Florida; Repealer; Severability; And An Effective Date. **First Reading** (Page 357)

(Requested by Vice-Mayor Richard L. Steinberg)

- R5F **Parking Pedestal Design Requirements**  
An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 130, "Off Street Parking", Article III, "Design Standards", To Modify The Requirements For Commercial And Residential Uses In Front Of Certain Portions Of A Parking Garage; By Amending Chapter 142, "Zoning Districts And Regulations", Article II, "District Regulations", By Amending Division 3, "Residential Multifamily Districts", Subdivision II, "RM-1 Residential Multifamily Low Intensity", Section 142-156 To Modify The Requirements For New Construction To Require Residential Uses In Front Of Certain Portions Of A Parking Lot Or Pedestal; By Amending Subdivision IV, "RM-2 Residential Multifamily Medium Intensity", Subdivision V, "RM-3 Residential Multifamily High Intensity", Division 4, "CD-1 Commercial, Low Intensity District", Division 5, "CD-2 Commercial, Medium Intensity District", Division 6, "CD-3 Commercial, High Intensity District", And Division 13, "MXE Mixed Use Entertainment District", To Add New Sections Specifying Requirements For Residential Uses Or Commercial Space In Front Of Certain Portions Of A Parking Lot Or Pedestal; By Amending Division 18, "Performance Standard District", Section 142-695, To Add New Requirements For Residential Uses Or Commercial Space In Front Of Certain Portions Of A Parking Lot Or Pedestal; Providing For Repealer, Codification, Severability And An Effective Date. **First Reading** (Page 363)

(Planning Department)  
(Deferred from December 7, 2005)

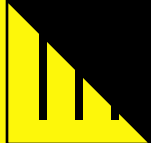
**R5 - Ordinances** (Continued)

- R5G An Ordinance Amending Chapter 82, Article IV, Division 3, Thereof Entitled "Newsracks" By Amending City Code Section 82-201 Entitled "Notice Of Violation Request For Hearing" By Authorizing The City Manager, Or Designee To Immediately Remove A Non-Permitted Newsrack Belonging To An Unregistered Publisher; Amending Section 82-231 Entitled "Fee Letter Of Compliance Required" Modifying The Procedures And Fees For Registering Newsracks: Providing For Codification; Severability; Repealing All Ordinances In Conflict Therewith; And Providing For An Effective Date. **First Reading** (Page 376)  
(Public Works)

**R7 - Resolutions**

- R7A A Resolution Finding, Pursuant To Section 255.20 (1) (C) (9), Florida Statutes, And Following A Duly Noticed Public Hearing That It Is In The Public's Best Interest To Waive, By 5/7ths Vote, The Formal Competitive Bidding Requirements, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The City Manager, Through His Designee, Who Shall Be The City's Property Management Director, A Licensed General Contractor, To Select, Negotiate, And Award All Contracts, Agreements, Purchase Orders, And Change Orders For The Purchase Of All Necessary Goods And Services Relative To Renovation/Relocation Projects In The 777-17th Street Building And The City Hall Building, Said Projects Having A Total Estimated Value Of \$646,000; Providing That All Documents Be Reviewed By The Appropriate Members Of The Administration And City Attorney's Office, And Shall Contain Those Minimum Terms And Conditions As Set Forth In This Resolution; And Further Authorizing The Mayor And City Clerk To Execute Any And All Agreements Relative To The Aforestated Projects. **10:30 a.m. Public Hearing** (Page 384)  
(Public Works)
- R7B A Resolution Approving The City's Federal Legislative Agenda For The 2006-2007 Congressional Session. (Page 393)  
(Economic Development)
- R7C A Resolution Waiving By 5/7th Vote, The Competitive Bidding Requirement And Approving A Three (3) Year Towing Permit With Beach Towing Services, Inc. And Tremont Towing Services, Inc., Respectively, Commencing On March 1, 2006 And Expiring On February 28, 2009, With A Renewable Two (2) Year Option Period, At The Sole Discretion Of The City. (Page 396)  
(Parking Department)
- R7D A Resolution Amending An Existing Design Build Agreement With Ric - Man International, Inc., Increasing The Agreement By The Amount Of \$1,642,301.22, To Provide Engineering, Urban Design, And Landscape Architecture For Design, Bid And Award, Construction And Construction Administration Services For The 7th And 8th Street Corridor Infrastructure Improvements To Be Added To The Scope Of Work For The Ongoing Washington Avenue Improvements - Phase II, IV And V Project; Funding Is Available From The Following Previously Appropriated Sources For The Flamingo/Lummus Bid Pack B Of Which The Work Is A Component: \$665,920.28 From The General Obligation Bond (Fund No. 384); \$671,690.13 From The 2000 Storm Water Bonds (Fund No. 428); And \$304,690.81 From The 2000 Water And Sewer Bonds (Fund No. 424). (Page 401)  
(Capital Improvement Projects)





**R7 - Resolutions** (Continued)

- R7E A Resolution Approving An Amendment To That Certain Amended And Restated Beachfront Concession Agreement By And Between The City And Boucher Brothers Miami Beach, LLC For The Operation And Management Of Beachfront Concessions On The Beaches Seaward Of Lummus Park, Ocean Terrace, And North Shore Open Space Park; Said Amendment Providing For Renewal Of The Agreement For Five (5) Years, Said Renewal Term Commencing On November 5, 2006, And Ending On November 4, 2011; And Providing Further For Certain Value Added Items To Be Provided By Boucher Brothers, At No Additional Cost To The City. (Page 416)  
(Asset Management)

**R9 - New Business and Commission Requests**

- R9A Board And Committee Appointments. (Page 436)  
(City Clerk's Office)
- R9A1 Board And Committee Appointments - City Commission Appointments. (Page 442)  
(City Clerk's Office)
- R9B(1) Dr. Stanley Sutnick Citizen's Forum. (1:30 p.m.) (Page 486)  
R9B(2) Dr. Stanley Sutnick Citizen's Forum. (5:30 p.m.)
- R9C Discussion Regarding The Lack Of Resident Awareness Of Open Permits On Buildings And Homes. (Page 488)  
(Requested by Commissioner Jerry Libbin)
- R9D Discussion Regarding Donating Surplus Police Equipment To The National Police Department In The Dominican Republic. (Page 490)  
(Requested by Commissioner Simon Cruz)

**Reports and Informational Items**

- A City Attorney's Status Report. (Page 493)  
(City Attorney's Office)
- B Parking Status Report. (Page 497)  
(Parking Department)
- C Status Report On The Rehabilitation Of The Existing Building And Construction Of The New Fire Station No. 2. (Page 535)  
(Capital Improvement Projects)
- D Status Report On The Construction Of Fire Station No. 4. (Page 537)  
(Capital Improvement Projects)
- E Informational Report To The Mayor And City Commission, On Federal, State, Miami-Dade County, U.S. Communities, And All Existing City Contracts For Renewal Or Extensions In The Next 180 Days. (Page 539)  
(Procurement)
- F Non-City Entities Represented By City Commission:
  - 1. Minutes From The Performing Arts Center Trust Board Meeting Of November 8, 2005 And Agenda For The January 10, 2006 Meeting. (Page 541)  
(Requested by Commissioner Matti Herrera Bower)

**End of Regular Agenda**

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



Office of the City Clerk

## HOW A PERSON MAY APPEAR BEFORE THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA

THE REGULARLY SCHEDULED MEETINGS OF THE CITY COMMISSION ARE ESTABLISHED BY RESOLUTION. SCHEDULED MEETING DATES ARE AVAILABLE ON THE CITY'S WEBSITE, DISPLAYED ON CABLE CHANNEL 77, AND ARE AVAILABLE IN THE CITY CLERK'S OFFICE. COMMISSION MEETINGS COMMENCE NO EARLIER THAN 9:00 A.M. GENERALLY THE CITY COMMISSION IS IN RECESS DURING THE MONTH OF AUGUST.

1. DR. STANLEY SUTNICK CITIZENS' FORUM will be held during the first Commission meeting each month. The Forum is split into two (2) sessions, 1:30 p.m. and 5:30 p.m., or as soon as possible thereafter, provided that the Commission Meeting has not already adjourned prior to the time set for either session of the Forum. In the event of adjournment prior to the Stanley Sutnick Citizens' Forum, notice will be posted on Cable Channel 77, and posted at City Hall. Approximately thirty (30) minutes will be allocated for each session, with individuals being limited to no more than three (3) minutes or for a time period established by the Mayor. No appointment or advance notification is needed in order to speak to the Commission during this Forum.
2. Prior to every Commission meeting, an Agenda and backup material are published by the Administration. Copies of the Agenda may be obtained at the City Clerk's Office on the Monday prior to the Commission regular meeting. The complete Agenda, including all backup material, is available for inspection the Monday and Tuesday prior to the Commission meeting at the City Clerk's Office and at the following Miami Beach Branch Libraries: Main, North Shore, and South Shore. The information is also available on the City's website: <http://miamibeachfl.gov>.
3. Any person requesting placement of an item on the Agenda must provide a written statement with his/her complete address and telephone number to the Office of the City Manager, 1700 Convention Center Drive, 4th Floor, Miami Beach, FL 33139, briefly outlining the subject matter of the proposed presentation. In order to determine whether or not the request can be handled administratively, an appointment may be scheduled to discuss the matter with a member of the City Manager's staff. "Requests for Agenda Consideration" will not be placed on the Agenda until after Administrative staff review. Such review will ensure that the issue is germane to the City's business and has been addressed in sufficient detail so that the City Commission may be fully apprised. Such written requests must be received in the City Manager's Office no later than noon on Tuesday of the week prior to the scheduled Commission meeting to allow time for processing and inclusion in the Agenda package. Presenters will be allowed sufficient time, within the discretion of the Mayor, to make their presentations and will be limited to those subjects included in their written requests.
4. Once an Agenda for a Commission Meeting is published, persons wishing to speak on item(s) listed on the Agenda, other than public hearing items and the Dr. Stanley Sutnick Citizens Forum, should call or come to City Hall, Office of the City Clerk, 1700 Convention Center Drive, telephone 673-7411, before 5:00 p.m., no later than the day prior to the Commission meeting and give their name, the Agenda item to be discussed, and if known, the Agenda item number.
5. All persons who have been listed by the City Clerk to speak on the Agenda item in which they are specifically interested, and persons granted permission by the Mayor, will be allowed sufficient time, within the discretion of the Mayor, to present their views. When there are scheduled public hearings on an Agenda item, IT IS NOT necessary to register at the City Clerk's Office in advance of the meeting. All persons wishing to speak at a public hearing may do so and will be allowed sufficient time, within the discretion of the Mayor, to present their views.
6. If a person wishes to address the Commission on an emergency matter, which is not listed on the Agenda, there will be a period allocated at the commencement of the Commission Meeting when the Mayor calls for additions to, deletions from, or corrections to the Agenda. The decision as to whether or not the matter will be heard, and when it will be heard, is at the discretion of the Mayor. On the presentation of an emergency matter, the speaker's remarks must be concise and related to a specific item. Each speaker will be limited to three minutes, or for a longer or shorter period, at the discretion of the Mayor.



**2006 Schedule of City of Miami Beach  
City Commission and Redevelopment Agency (RDA) Meetings**

Meetings begin at 9:00 a.m. and are held in the City Commission Chambers, 3<sup>rd</sup> Floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida.

**CITY COMMISSION MEETINGS**

January 11 (Wednesday)

February 8 (Wednesday)

March 8 (Wednesday)

April 11 (Tuesday)

May 10 (Wednesday)

June 7 (Wednesday)

July 12 (Wednesday)

**August - City Commission in Recess**

September 6 (Wednesday)

October 11 (Wednesday)

November 8 (Wednesday)

December 6 (Wednesday)

**ALTERNATE MEETINGS**

January 18 (Wednesday)

February 15 (Wednesday)

March 15 (Wednesday)

April 18 (Tuesday)

May 17 (Wednesday)

July 26 (Wednesday)

October 18 (Wednesday)

November 15 (Wednesday)

December 13 (Wednesday)

The "alternate" City Commission meeting date have been reserved to give the Mayor and City Commission the flexibility to carry over a Commission Agenda item(s) to the "alternate" meeting date, if necessary. Any Agenda item(s) carried over will be posted on the City's website, aired on Government Channel 20, or you may call the City Clerk's office at 305-673-7411.

Dr. Stanley Sutnick Citizens' Forum will be held during the first Commission meeting each month. The Forum will be split into two (2) sessions, 1:30 p.m. and 5:30 p.m. Approximately thirty (30) minutes will be allocated per session for each of the subjects to be considered, with individuals being limited to no more than three (3) minutes. No appointment or advance notification is needed in order to speak to the Commission during this Forum.





**Condensed Title:**

Request For Approval To Purchase, Pursuant To Florida State Contract No. 04-12-0823, Twenty-Three (23) 2006 Crown Victoria Police Pursuit Vehicles, One (1) 2006 E-350 Cargo Van, Six (6) 2006 E-250 Cargo Vans, Four (4) 2006 E-150 Cargo Vans, Two (2) 2006 Taurus, And Three (3) 2006 F-250 4x2 Crew Cab Pick Up Trucks, From Duval Ford, In The Amount Of \$718,662.00; Twelve (12) 2006 Impala Police Pursuit Vehicles, From Classic Chevrolet, In The Amount Of \$227,467.80; Two (2) 2006 F-150 4x2 Pick Up Trucks, From Don Reid Ford, In The Amount Of \$26,412.30; And Pursuant To State Of Florida Contract No. 070-001-05-1, One (1) 2006 Impala Administrative Vehicle, From Garber Chevrolet, In The Amount Of \$15,563.15.

**Key Intended Outcome Supported:**

Increase resident ratings of Public Safety Services; Ensure well-maintained facilities; Improve cleanliness of Miami Beach rights of way; Process improved through information technology.


**Issue:**

Shall the City Commission approve the purchases?

**Item Summary/Recommendation:**

Twenty three (23) 2006 Crown Victoria Police Pursuit vehicles, one (1) 2006 E-350 Cargo Van and twelve (12) 2006 Impala Police Pursuit vehicles are budgeted **replacements** funded by the Fleet Management Fund. Four (4) 2006 E-250 Cargo Vans are budgeted **replacements** funded by the Property Management Fund and will be used by the Property Management Division's Painting, Air-Conditioning and Electrician crews. Two (2) 2006 E-250 Cargo Vans are budgeted **replacements** funded by the Parking Enterprise Fund and will be used by the Parking On-Street Division's Painting crews. One (1) 2006 E-150 Cargo Van is a budgeted **replacement** funded by the Fleet Management Fund and will be used by the Bass Museum to move art work. Two (2) 2006 E-150 Cargo Vans are budgeted **replacements** funded by the Property Management Fund and will be used by the Property Management Maintenance crew. One (1) 2006 E-150 Cargo Van is a budgeted **addition** funded by the IT Communications Fund and will be used by the IT Support Division as an enhancement to current service of the City's computer network. Three (3) 2006 F-250 4x2 Crew Cab pick up trucks are budgeted **additions** funded as follows: one (1) by the Sanitation Enterprise Fund, one (1) by the Sanitation Enterprise Fund – South Beach and one (1) by the Sanitation Enterprise Fund – North Beach. These three vehicles will be used to transport crew and haul hand held vacuums for rights of way cleaning. Two (2) 2006 F-150 4x2 pick up trucks and two (2) 2006 Taurus are budgeted **additions** funded by the Property Management Fund and will be used to maintain new enhanced services from the Capital Improvement Program. One (1) 2006 Impala Administrative vehicle is a budgeted **addition** funded by the Parking Enterprise Fund and will be used by a Parking administrator to oversee Off Street Parking operations. The Administration recommends approving the purchases.

**Financial Information:**

Source of Funds:	Amount	Account	Approved
 OBPI	1	710,363.80	510.1780.000673 Fleet Mgt. Fund Capital Acct.
	2	150,899.30	520.1720.000673 Property Mgt. Fund Capital Acct.
	3	31,276.00	480.462.000673 Parking Enterprise Fund On St.
	4	15,563.15	480.0463.000673 Parking Enterprise Fund Off St.
	5	21,631.00	435.9962.000673 Sanitation Enterprise Fund So. Beach
	6	21,631.00	435.9969.000673 Sanitation Enterprise Fund No. Beach
	7	21,631.00	435.0430.000673
	8	15,110.00	550.1750.000673
	<b>Total</b>	<b>\$988,105.25</b>	

Department Director	Assistant City Manager	City Manager
		



MIAMI BEACH

AGENDA ITEM B2A  
DATE 1-11-06



# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: January 11, 2006

SUBJECT: REQUEST FOR APPROVAL TO PURCHASE, PURSUANT TO FLORIDA STATE CONTRACT NO. 04-12-0823, TWENTY-THREE (23) 2006 FORD CROWN VICTORIA POLICE PURSUIT VEHICLES, ONE (1) 2006 FORD E-350 CARGO VAN, SIX (6) 2006 FORD E-250 CARGO VANS, FOUR (4) 2006 FORD E-150 CARGO VANS, TWO (2) 2006 FORD TAURUS VEHICLES AND THREE (3) 2006 FORD F-250 4X2 CREW CAB PICK UP TRUCKS, FROM DUVAL FORD, IN THE AMOUNT OF \$718,662.00; TWELVE (12) 2006 IMPALA POLICE PURSUIT VEHICLES, FROM CLASSIC CHEVROLET, IN THE AMOUNT OF \$227,467.80; TWO (2) 2006 F-150 4X2 PICK UP TRUCKS, FROM DON REID FORD, IN THE AMOUNT OF \$26,412.30; AND PURSUANT TO STATE OF FLORIDA CONTRACT NO. 070-001-05-1, ONE (1) 2006 IMPALA ADMINISTRATIVE VEHICLE, FROM GARBER CHEVROLET, IN THE AMOUNT OF \$15,563.15.

### ADMINISTRATION RECOMMENDATION

Approve the purchases.

### BID AMOUNT AND FUNDING

\$710,363.80	Fleet Management Fund Capital Account	510.1780.000673
\$150,899.30	Property Management Fund Capital Account	520.1720.000673
\$ 31,276.00	Parking Enterprise Fund	480.0462.000673
	On-Street Capital Account	
\$ 15,563.15	Parking Enterprise Fund	480.0463.000673
	Off-Street Capital Account	
\$ 21,631.00	Sanitation Enterprise Fund	435.9962.000673
	South Beach Service Team Capital Account	
\$ 21,631.00	Sanitation Enterprise Fund	435.9969.000673
	North Beach Service Team Capital Account	
\$ 21,631.00	Sanitation Enterprise Fund Capital Account	435.0430.000673
\$ 15,110.00	Communications Fund Capital Account	550.1750.000673

### ANALYSIS

The twenty-three (23) 2006 Ford Crown Victoria Police Pursuit vehicles, one (1) 2006 Ford E-350 Cargo Van, six (6) 2006 Ford E-250 Cargo Vans, four (4) E-150 Cargo Vans, two (2) 2006 Ford Taurus vehicles, three (3) 2006 Ford F-250 4x2 Crew Cab Pick Up trucks, twelve (12) 2006 Chevrolet Impala Police Pursuit vehicles, and two (2) 2006 Ford

F-150 4x2 Pick Up trucks are recommended to be purchased pursuant to Florida State Contract No. 04-12-0823. The 2006 Chevrolet Impala Administrative vehicle is recommended to be purchased pursuant to Florida State Contract No. 070-001-05-1.

The twenty-three (23) 2006 Ford Crown Victoria Police Pursuit vehicles, one (1) 2006 Ford E-350 Cargo Van and twelve (12) 2006 Impala Police Pursuit vehicles are budgeted replacements and will be funded by the Fleet Management Fund Capital Account. The E-350 Cargo Van will be used as a prisoner transport.

Four (4) 2006 Ford E-250 Cargo Vans are budgeted replacements and will be funded by the Property Management Fund Capital Account. These vehicles will be used by the Property Management Division's Painting, Air-Conditioning, and Electrician crews and will be equipped with bins and shelving. Two (2) 2006 E-250 Cargo Vans are budgeted replacements and will be funded by the Parking Enterprise Fund. These vehicles will be used by the Parking On-Street Division's Painting crews for maintenance, repairs and projects throughout the City. These vans will also be equipped with bins and shelving.

Two (2) 2006 Ford E-150 Cargo vans are budgeted replacements and will be funded by the Property Management Fund Capital Account. These vehicles will be used by the Property Management Division's Maintenance crew in their daily upkeep of City structures. One (1) 2006 E-150 Cargo Van is a budgeted replacement and will be funded by the Fleet Management Fund. This vehicle will be used by the Bass Museum staff to perform daily tasks and to transport art work from the Museum to off-site art storage and back during the changing of exhibitions, picking up donated art work, and pick-up and delivery of supplies to off-site events. One (1) 2006 E-150 Cargo Van is a budgeted addition and will be funded by the Information Technology Communications Fund Capital Account. This will be used by Information Technology's Support division as an enhancement to the IT Department initiative to provide and maintain quality service and support of the City's computer network.

The three (3) 2006 Ford F-250 4x2 Crew Cab Pick Up trucks are budgeted additions and will be funded as follows: one (1) by the Sanitation-South Beach Service Team Enterprise Fund, one (1) by the Sanitation Enterprise Fund-North Beach Service Team and one (1) by the Sanitation Enterprise Fund. All three vehicles are enhancements to current service levels to provide increased and improved cleanliness to Miami Beach areas and rights of way. They will transport staff and haul "Billy Goats" which are walk-behind vacuums for sidewalks, small spaces and other rights of way areas.

The two (2) 2006 Ford F-150 4x2 Pick Up trucks and two (2) 2006 Ford Taurus vehicles are budgeted additions and will be funded by the Property Management Fund Capital Account. These vehicles will be used by budgeted additional Air-Conditioning, Plumber and Construction Management staff to ensure and properly maintain, repair and oversee new enhanced services from the Capital Improvement Program.

The 2006 Impala Administrative vehicles is a budgeted addition and will be funded by the Parking Enterprise Fund Capital Account. This vehicle will be used by the Assistant Director of Off Street Parking to oversee the operations and maintenance of 64 parking lots and 6 parking garages. The purchase of this vehicle will allow the Parking Department to improve and maintain current service levels.

The vehicles listed below have met the established criteria for replacement:

Veh#	Dept.	Year	Make/Model	Mi./Hours	Life to Date Maintenance	Condition
2133	1120	1997	Chev/Lumina	36,168	\$ 3,226.05	Fair
2170	1120	1999	Ford/Crown Vic	96,316	\$ 9,083.04	Fair
2169	1130	1999	Ford/Taurus	66,879	\$ 6,614.82	Fair
2173	1130	1999	Ford/Taurus	63,353	\$ 6,970.00	Fair
2174	1130	1999	Ford/Taurus	71,015	\$ 7,841.66	Fair
2344	1120	1999	Ford/Crown Vic	40,087	\$ 5,341.59	Fair
2346	1120	1999	Ford/Crown Vic	66,422	\$ 5,443.30	Fair
2349	1120	1999	Ford/Crown Vic	73,295	\$ 5,283.13	Fair
2358	1120	1999	Ford/Crown Vic	62,807	\$ 5,257.65	Fair
2359	1120	1999	Ford/Crown Vic	62,556	\$ 9,223.95	Fair
2360	1120	1999	Ford/Crown Vic	69,188	\$ 7,619.81	Fair
2361	1120	1999	Ford/Crown Vic	82,484	\$ 8,205.54	Fair
2362	1120	1999	Ford/Crown Vic	71,715	\$ 6,741.42	Fair
2368	1120	1999	Ford/Crown Vic	71,500	\$ 4,592.20	Fair
2370	1120	1999	Ford/Crown Vic	55,342	\$ 4,078.86	Fair
2371	1120	1999	Ford/Crown Vic	53,447	\$ 2,938.55	Fair
2374	1120	1999	Ford/Crown Vic	55,148	\$ 6,738.29	Fair
2379	1120	1999	Ford/Crown Vic	52,778	\$ 4,443.53	Fair
2382	1120	1999	Ford/Crown Vic	59,649	\$ 6,340.30	Fair
2383	1120	1999	Ford/Crown Vic	78,400	\$ 5,711.79	Fair
2384	1120	1999	Ford/Crown Vic	50,944	\$ 4,070.40	Fair
2386	1120	1999	Ford/Crown Vic	75,399	\$ 3,196.46	Fair
2389	1120	1999	Ford/Crown Vic	66,857	\$ 7,470.33	Fair
2390	1120	1999	Ford/Crown Vic	69,127	\$ 6,063.63	Fair
2345	1130	1999	Ford/Crown Vic	48,080	\$ 6,961.43	Fair
2348	1130	1999	Ford/Crown Vic	60,923	\$ 4,715.53	Fair
2352	1130	1999	Ford/Crown Vic	56,420	\$ 7,578.48	Fair
2357	1130	1999	Ford/Crown Vic	46,042	\$ 7,533.15	Fair
2363	1130	1999	Ford/Crown Vic	57,914	\$ 9,598.58	Fair
2376	1130	1999	Ford/Crown Vic	54,382	\$ 6,668.69	Fair
2377	1130	1999	Ford/Crown Vic	61,193	\$ 9,313.68	Fair
2385	1130	1999	Ford/Crown Vic	66,296	\$ 7,236.59	Fair
2509	1130	2000	Ford/Crown Vic	104,504	\$11,713.83	Fair
2624	1130	2000	Ford/Crown Vic	65,866	\$13,930.52	Fair
2626	1130	2000	Ford/Crown Vic	87,063	\$12,484.93	Fair
0135	1130	1997	Ford/E-350	79,114	\$18,940.71	Fair
437-5	1720	1995	GMC/2500	28,505	\$10,888.68	Poor
428-5	1720	1995	GMC/2500	43,065	\$14,183.09	Poor
434-5	1720	1995	GMC/2500	35,975	\$15,286.73	Poor
404-4	1720	1994	Ford/F-250	36,353	\$ 3,872.16	Poor
422-4	1720	1994	Ford/F-250	49,811	\$10,935.21	Poor
424-5	1720	1994	Ford/F-250	30,421	\$ 8,185.33	Poor
572	0930	1999	Chev/Astro	21,947	\$ 2,353.12	Fair
1475	0462	1999	Ford/E-150	38,938	\$ 6,531.63	Fair
1476	0462	1999	Ford/E-150	46,982	\$ 7,020.71	Fair

All deadlined vehicles and equipment are used as a trade-in or sold at public auction. This process effectively reduces our cost of ownership and completes the vehicle life cycle.

The Administration recommends that the City Commission approve the purchase of twenty three (23) 2006 Ford Crown Victoria Police Pursuit vehicles, six (6) 2006 Ford E-250 Cargo Vans, four (4) 2006 Ford E-150 Cargo Vans, two (2) 2006 Ford Taurus vehicles and three (3) 2006 Ford F-250 4x2 Crew Cab Pick Up Trucks, from Duval Ford, in the amount of \$718,662.00; twelve (12) 2006 Impala Police Pursuit vehicles, from Classic Chevrolet, in the amount of \$227,467.80; and two (2) 2006 Ford F-150 4x2 Pick Up trucks, from Don Reid Ford, in the amount of \$26,412.30; and, pursuant to Florida State Contract No. 070-001-05-1, one (1) 2006 Impala Administrative vehicle, from Garber Chevrolet, in the amount of \$15,563.15.



**Condensed Title:**

Request For Approval To Purchase One (1) 2006 Pierce 100' Aerial Platform On Pierce Dash-2000 Chassis Ladder Truck, From Ten-8 Fire Equipment, Inc., Pursuant To Florida State Contract No. 05-06-0823, In The Amount Of \$870,609.00.

**Key Intended Outcome Supported:**

Increase resident ratings of Public Safety Services.

**Issue:**

Shall the City Commission approve the purchase?

**Item Summary/Recommendation:**


The 2006 Pierce 100' Aerial Platform on Pierce Dash-2000 Chassis Ladder Truck is a budgeted **replacement** and is funded by the Fleet Management Fund. This vehicle will be equipped with a rear-mounted 100' aerial platform.

The Administration recommends approving the purchase.

**Advisory Board Recommendation:**

n/a

**Financial Information:**




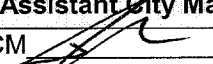
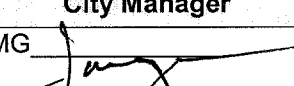
Source of Funds:		Amount	Account	Approved
 OBPI	1	870,609.00	510.1780.000673 Fleet Management Fund Capital Acct	
	2			
	3			
	4			
	Total	870,609.00		

**Financial Impact Summary:**

**City Clerk's Office Legislative Tracking:**

Andrew E. Terpak

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
FJ  AET  GL 	RCM 	JMG 


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## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager 

DATE: January 11, 2006

SUBJECT: **REQUEST FOR APPROVAL TO PURCHASE ONE (1) 2006 PIERCE 100' AERIAL PLATFORM ON PIERCE DASH-2000 CHASSIS LADDER TRUCK, FROM TEN-8 FIRE EQUIPMENT, INC., PURSUANT TO FLORIDA STATE CONTRACT NO. 05-06-0823, IN THE AMOUNT OF \$870,609.00.**

### ADMINISTRATION RECOMMENDATION

Approve the purchase.

### BID AMOUNT AND FUNDING

\$870,609.00 Fleet Management Fund Capital Account 510.1780.000673

### ANALYSIS

Results of the 2005 Community Satisfaction Surveys indicated that the overall quality of City of Miami Beach Fire safety services were rated as excellent or good by 96% of residents, 85% of businesses and 96% of community organizations. Efforts to preserve and improve community satisfaction are perpetual initiatives for the Fire Department to provide the community with a high level of safety by utilizing quality staff and equipment.

The 2006 Pierce 100' Aerial Platform on Pierce Dash-2000 chassis is a budgeted replacement and funded by the Fleet Management Fund Capital Account. The new aerial truck will be put on the front line and the next oldest unit will serve as the reserve unit allowing 19 year old unit 0007-7, to be retired. The reserve unit is placed in service during periods when other units are receiving preventative maintenance, repairs or required inspections. The aerial ladder trucks are assigned to Station 1, located at 1051 Jefferson Avenue, and Station 3, which is located at 5303 Collins Avenue.

The Administration's recommendation to purchase the Pierce fire apparatus was a lengthy process that included input from the Apparatus Committee, and the Joint Occupational Health and Safety Committee, which was comprised of Fire Department administrative staff and bargaining unit members. The result of this process was the determination that the Pierce Aerial Platform should be purchased using the Florida State contract at an approximate cost savings of \$20,000 when compared to the Lake County, Florida contract. The purchase of this equipment is ideal to maintain and improve the safety of the residents, businesses and visitors of the City of Miami Beach.

The reasons for selecting Pierce are as follows:

1. We will purchase the Pierce aerial ladder truck from Ten-8 Fire Equipment, Inc, utilizing Florida State Contract No. 05-06-0823. Pierce offers the City a one-source solution, which is an integrated approach that delivers superior apparatus, advanced technologies, expedites the production of the unit, and mitigates potential warranty issues.
2. Replacement Parts: All five Pierce apparatus currently operated by the Fire Department, whether they are Aerials, Skybooms, or Pumpers, are built on Dash 2000 chassis. They all use common replacement parts and make ordering parts and inventory control much more efficient. Over the past five years, there have been no problems obtaining warranty service, and replacement parts have been readily available.
3. Preventative Maintenance: The standardization of the equipment allows for more efficiency in the Fire apparatus maintenance facility, as all of these apparatus use common oil, air, and hydraulic filters, as well as the same engine, transmission, and hydraulic fluids.
4. Mechanic's Training: Since the Fire Department's acquisition of Pierce apparatus, the focus of the Fire Mechanic's training has been on Repair and Maintenance specific to Pierce apparatus. Some examples are Skyboom, Aerial Platform, and Chassis Multiplex systems.
5. Firefighter Training: All of our Firefighters and Driver-Engineers have been trained in care, daily maintenance and use of Pierce apparatus. The entire manual is currently required study material for all Promotional exams. Our personnel know that regardless of which unit they are assigned, everything is in the same place, all systems operate the same, and all daily maintenance is the same.
6. Welded Modular Construction: Pierce parts are formed to precise dimensions with computerized, numerically controlled press brakes, and then welded into assemblies for stronger, more durable finished products. All welding is done by certified welders on ISO calibrated equipment.
7. Computerized design and cutting: Assuring a high level of accuracy and consistency when creating body panels and chassis, these processes provide exceptionally tight tolerances for a more solidly built vehicle that will respond better and last longer. Should the City need replacement parts, a computer file can recreate duplicates.
8. State-of-the-art painting process: A high level of corrosion protection results from Pierce's state-of-the-art, environmentally advanced painting facility. Components go through a multi-step process: (1) all surfaces are washed and prepared for priming; (2) all surfaces receive two coats of primer; (3) surfaces are sanded before applying final coats of paint; and (4) all surfaces receive 2 top coats of color, depending on the specific order color scheme.

Plus, holes are drilled before painting and apparatus are painted in separate modules so the integrity of the paint surface is never compromised. The chassis, harnesses and airlines are installed after painting for faster, easier troubleshooting.

9. Focused sub assembly: Through a team building approach, craftspeople are responsible for a specific portion of the vehicle, such as the pump house assembly. Close group communication and extensive experience will lead to quick implementation of improvements, and a superior product.
10. Service: Ten-8 Fire Equipment, Inc. is Pierce's sole distributor of Pierce fire apparatus for the State of Florida. Ten-8 will be dedicated to provide service support 24 hours a day, seven days a week, with parts, service, and training.

The price, terms, and conditions will be pursuant to Florida State Contract No. 05-06-0823. The pricing computation is as follows:

Vehicle Cost with options (see Attachment): \$870,609.00

Attached is Ten-8 Fire Equipment, Inc.'s proposal with a detailed components list for furnishing the fire apparatus (see Attachment).

The vehicle listed below has met or exceeded the established criteria for replacement:

Veh#	Dept.	Year	Make/Model	Mileage	Life To Date Maintenance	Condition
0007-7	1210	1987	Spartan	49,330	\$163,319.43	Fair*

Criteria for replacement of vehicles are based on age, mileage, maintenance, engine hours (one hour idling = 35 miles), and overall condition of the vehicle. The life to date maintenance includes all costs associated with the vehicle, including, but not limited to, repairs, routine maintenance, accidents and other damage.

\*Does not meet National Fire Protection Association standards.

All deadlined vehicles and equipment are used as a trade-in or sold at public auction. This process effectively reduces our cost of ownership and completes the vehicle life cycle.

## **CONCLUSION**

The Administration recommends that the City Commission approve the purchase, pursuant to Florida State Contract No. 05-06-0823, of one (1) 2006 Pierce 100' Aerial Platform on Pierce Dash-2000 chassis, from Ten-8 Fire Equipment, Inc., in the amount of \$870,609.00.

JMG/RCM/FJ/GL/AET/mo

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# PROPOSAL FOR FURNISHING FIRE APPARATUS

December 8, 2005

Miami Beach Fire Rescue  
2300 Pinetree Drive  
Miami Beach, Florida 33140

The undersigned is prepared to manufacture for you, upon an order being placed by you, for final acceptance by Pierce Manufacturing, Inc., at its home office in Appleton, Wisconsin, the apparatus and equipment herein named and for the following prices:

One Pierce Custom Dash 100' Platform \$ 870,609.00

Pricing in accordance with Florida Sheriff Association And  
Florida Association of Counties Bid # 05-06-0823.

Pricing Good Until January 31, 2006

Purchase Order To Pierce Manufacturing Inc.

Total \$ 870,609.00

Said apparatus and equipment are to be built and shipped in accordance with the specifications hereto attached, delays due to strikes, war, or intentional conflict, failures to obtain chassis, materials, or other causes beyond our control not preventing, within about 210-240 working days after receipt of this order and the acceptance thereof at our office at Appleton, Wisconsin, and to be delivered to you at Miami Beach Fire Rescue

The specifications herein contained shall form a part of the final contract, and are subject to changes desired by the purchaser, provided such alterations are interlined prior to the acceptance by the company of the order to purchase, and provided such alterations do not materially affect the cost of the construction of the apparatus.

The proposal for fire apparatus conforms with all Federal Department of Transportation (DOT) rules and regulations in effect at the time of bid, and with all National Fire Protection Association (NFPA) Guidelines for Automotive Fire Apparatus as published at the time of bid, except as modified by customer specifications. Any increased costs incurred by first party because of future changes in or additions to said DOT or NFPA standards will be passed along to the customers as an addition to the price set forth above.

Unless accepted within 30 days from date, the right is reserved to withdraw this proposition.

*E. C. Hay*  
12.23.05

By *Mike Schneider*  
PIERCE MANUFACTURING, INC.  
SALES REPRESENTATIVE





**VEHICLE:** Pierce Arrow XT 95' Aerial  
**ZONE:** All Zones  
**BASE PRICE:** \$744,769.00  
**LADDER:** Steel  
**MANUFACTURE** Ten-8 Fire Equipment. Inc.

1

**Order  
Code**

**Delete Options**

**All Zones**

	70 to 75 mid mount platform	NA
	80 to 89 mid mount platform	NA
00001	80 to 89 rear mount platform	\$ 60,000.00
	90 to 95 rear mount platform	NA
00002	100 to 110 rear mount platform	\$ 40,350.00

**Order  
Code**

**Add Options (con'd)**

**All Zones**

22252	Bumper hose tray	\$ 341.00
29434	Front jump line 2" w/1.5"swivel	\$ 1,883.00
62369	Optional higher horse power motor	\$ 2,509.00
01332	Fuel water separator	\$ 744.00
41911	Raised roof cab notched	\$ 3,908.00
22352	2 additional SCBA seats	\$ 1,177.00
02501	Map box 1	\$ 586.00
04258	EMS box in cab 2	\$ 4,714.00
90155	Upgrade chassis and body LED lighting	\$ 453.00
36197	Two tone paint	\$ 737.00
19675	Aluminum wheels IPO steel	\$ 5,373.00
02181	Bus style mirrors remote	\$ 1,611.00
86958	Breathing air to tip platform	\$ 6,695.00
06925	Three way intercom system	\$ 1,016.00
51444	500 watt quartz light, tip 2	\$ 1,919.00
06930	110 volt recpt at tip	4 1,368.00
06979	Axe or pike bracket at tip	\$ 157.00
04680	2-1/2 right side suction	\$ 1,867.00
05417	Foam system	\$ 15,117.00
05429	Foam cell integral	\$ 711.00
77263	Foam tank level	\$ 676.00
20941	Upgrade warning LED	\$ 6,030.00
16080	Federal Q2B siren	\$ 3,370.00
36642	110 volt electrical package 6kw	\$ 18,394.00
61315	Roll up doors ipo hinged	\$ 1,978.00
03942	Adjustable shelf each 8	\$ 1,992.00
03982	Roll out tray 250lb each 4	\$ 2,852.00
24110	Running board tray 1	\$ 402.00
18215	SCBA storage in wheel well 2	\$ 2,738.00
17246	Lettering package - 60 3"	\$ 738.00
07368	Aerial sign plate painted	\$ 1,540.00

Page total

\$ 85,559.00

<b>VEHICLE:</b>	Pierce Arrow XT 95' Aerial
<b>ZONE:</b>	All Zones
<b>BASE PRICE:</b>	\$744,769.00
<b>LADDER:</b>	Steel
<b>MANUFACTURE</b>	Ten-8 Fire Equipment. Inc.

2

Order Code	Add Options (con't)	All Zones
77705	Temp tip Senor	\$ 561.00
21100	Dynalastic suspension	\$ 9,990.00
56905	Platform heat shield	\$ 890.00
32055	Dash multi-plex cab	\$ 9,334.00
08083	DS high side compt.	\$ 3,816.00
20711	PS high side compt.	\$ 3,816.00
00858	Inlet/outlet air con.(2)	\$ 974.00
00860	Outlet w/shut off	\$ 796.00
70810	All wheel lock up	\$ 530.00
51353	Access fluid check	\$ 388.00
64469	Diagnostic software	\$ 1,276.00
13768	Chocks, wheel pair	\$ 701.00
99243	Controls window elect.	\$ 1,004.00
32303	Doors access side seat	\$ 283.00
72143	Locks door cab	\$ 372.00
94002	Bright finish grill	\$ 736.00
51539	Straps nylon trays	\$ 530.00
72272	Eyes toe chrome	\$ 444.00
75704	Light/alarm belts	\$ 1,110.00
72400	Seats 2 w/scbe brackets	\$ 1,683.00
39451	Radio inst. customer supp.	\$ 857.00
17484	Ant. Radio mount	\$ 206.00
36773	Intercom sitcom cab	\$ 4,255.00
06262	Setcom cable interface	\$ 394.00
91826	Charger sngl system 75	\$ 1,077.00
22628	Jumper studs batt.	\$ 249.00
12719	Kussmaul auto eject system	\$ 964.00
32739	Wiring cust. Radio	\$ 182.00
81665	Camera back-up safety	\$ 1,603.00
03502	Cover hose bed	\$ 589.00
48275	Turntable morton case step	\$ 934.00
33598	Compt. Eng trans full width	\$ 3,466.00
34160	Compt. Backboard 2	\$ 1,183.00
29313	Partition vertical compt.	\$ 379.00
Page Total		\$ 55,572.00

**VEHICLE:** Pierce Arrow XT 95' Aerial  
**ZONE:** All Zones  
**BASE PRICE:** \$744,769.00  
**LADDER:** Steel  
**MANUFACTURE** Ten-8 Fire Equipment. Inc.

3

Order Code	Add Options (con't)	All Zones
54011	Tool board adj. compt.	\$ 1,006.00
34008	Toll board .188 slide out 3	\$ 2,529.00
05580	Panel SS pump	\$ 843.00
55163	Lever water LED light 2	\$ 910.00
91203	Light compt. Class1 kristal	\$ 1,345.00
05942	Light perimeter scene	\$ 379.00
39768	Light side scene wheken	\$ 492.00
58289	Light traffic directing rear	\$ 1,122.00
06825	Reel electric cable 2	\$ 3,121.00
06827	Cord 12/3 yellow 200'-2	\$ 1,616.00
26824	Box, junction 120/240 -2	\$ 1,767.00
06824	Holder junction box 2	\$ 436.00
16794	Recpt. 110v 15 amp /with strt.	\$ 457.00
07008	Hose hyd Blu/Blu 50'	\$ 897.00
00001	Color hose hyd. RED/BLK	\$ 1,386.00
06990	Reel hyd. 100' cap	\$ 1,461.00
12084	Notch raised roof	\$ 2,230.00
06983	Box, air mask	\$ 554.00
76978	Box, hose storage	\$ 787.00
89977	Bracket stokes holder	\$ 534.00
00637	Emblem eagle flag	\$ 421.00
95478	8KW hyd. Generator ipo 6	\$ 766.00
	Page Total	\$ 25,059.00
Page 1	Base	\$744,769.00
	Deduct rear mount	( 40,350.00)
	Add options	\$ 85,559.00
Page 2	Add options	\$ 55,572.00
Page 3	Add options	\$ 25,059.00
	Total Truck	\$870,609.00

Bid Award Announcement (05-06-0823)



## Component List

12/22/2005

**Customer:** Miami Beach  
**Representative:** Michael Schneider  
**Organization:** Ten-8 Fire Equipment, Inc  
**Contract Admin:**  
**Description:** Aerial Platform  
**Body:** Aerial, Platform 100', Alum Bo  
**Chassis:** Dash-2000, Chassis, PAP/SkyArm

**Bid Number:** 5155  
**DB Version:** 220061  
**Bid Date:** 11/30/2005  
**Job Number:**

Line	PRIDE #	Type	Component	Qty
1	0000003		Boiler Plates, Aerial 100' Platform	1
2	0018180		Single Source Compliance (Aerials)	1
3	0062301		Comply NFPA 1901 Changes Effective Jan 1, 2004	1
4	0008036		Career/Paid Department	1
5	0020744		Aerial Fire Apparatus	1
6	0021007		Maximum Overall Height	1
			Size - MAX OAH 11' 9" same as last unit 12258	
7	0000007		Approval Drawing	1
8	0030008		Warranty, Custom Chassis	1
9	0030006		Bid Bond not requested	1
10	0070220		Dash-2000, Chassis, PAP/SkyArm/Midmount	1
11	0000109		Seating Capacity, Cab	6
12	0000110		Wheelbase	1
			Wheelbase - 260" Match last unit.170034	
13	0000070		GVW Rating	1
			GVW rating - 75,500	
14	0000203		Frame Rails, 13.38 x 3.50 x .375, DLX/Qtm/Enf/AXT	1
15	0024856		Frame Liner, Inv "L" 12.68" x 3.00" x .25", DLX/Qtm/Enf	1
16	0090913		Axle, Front, Oshkosh TAK-4, Non Drive, 24,000 lb, DLX/Qtm/AXT	1
17	0000322		Oil Seals, Front Axle	1
18	0087572		Shock Absorbers, KONI, on TAK-4 DLX/Qtm/AXT/Enf	1
19	0010462		Axle, Rear, Meritor RT-58-185, 58,000 lb	1
20	0000469		Top Speed of Vehicle	1
			Top Speed of Vehicle - 61 to 64	
21	0000485		Oil Seals, Rear Axle	1
22	0090914		Suspension, Front TAK-4, 24,000 lb, DLX/Qtm/AXT	1
23	0021100		Suspen, Rear, Dynalastic 202S 58,000 lb	1
24	0000310		Request for Turning Radius Report	1
25	0010673		ABS Wabco Brake System, Tandem rear axle	1
26	0030185		Brakes, Knorr/Bendix 17", Disc, Frt, TAK-4, DLX/Enf/Qtm/AXT	1
27	0000730		Brakes, Meritor, Cam, Rear, 16.50 x 7.00"	1
28	0001220		Engine Brake, Jacobs	1
			Switch, Engine Brake - d) ISM	
29	0020784		Air Compressor, Brake, Cummins/Wabco 18.7 CFM, ISC/ISM	1
30	0000794		Brake Reservoirs, Six	1
31	0010787		Air Dryer, Wabco System Saver 1200	1
32	0000790		Brake Lines, Nylon	1
33	0000858		Inlet/Outlet, Air, w/Disconnect Fitting	2
			Location, Air Coupling(s) - v) Both Step Wells	
34	0000860		Outlet, Air, with shut off valve	2
			Location, Air Coupling(s) - j) Both Pump Panels	
35	0004200		Hose, Air 25' length, w/air chuck	1
36	0070810		All Wheel Lockup (Aerial/Tanker Chassis)	1

Line	PRIDE #	Type	Component	Qty
37	0068669		Engine, Cummins ISM, 500 hp, 1550 Torque, 2004	1
38	0031055		Air Intake, w/Ember separator, DLX	1
39	0002880		Exhaust System, 5" Std.	1
40	0051353		Access, Fluid Checks, Eng/Trans, Inside Cab, DX	1
41	0035723		Clutch, Fan, Air Actuated, Horton Drive Master, 2002, DLX/AXT	1
42	0001332		Fuel/Water Separator, Racor Inline	1
43	0071333		Indicator Light and Alarm, Racor	1
44	0001244		High Idle w/Electronic Engine, Custom	1
45	0001091		Cooling Hoses, Silicone - Custom	1
46	0011104		Radiator, DLX/Enf	1
47	0001125		Fuel Tank, 65 gal	1
48	0001129		Lines, Fuel	1
49	0023745		Cooler, Chassis Fuel	1
50	0099727		Trans, Allison Gen IV 4000 EVS P	1
51	0011477		Transmission, Shifter, 5-Spd, Push Button	1
			Trans, ratio - HD4060, 5Spd	
52	0001475		Transmission Oil Cooler, Internal	1
53	0046369		Warranty, 5-year EVS Transmission, Standard Custom	1
54	0064469	PSC	Diagnostic Software, Allison DOC Package (For LapTop)	1
55	0001375		Driveline, Spicer 1810	1
56	0030179		Steering, Sheppard M110 w/tilt, TAK-4	1
57	0078245		Tires, Michelin, 445/65R22.50 20 ply XZY 3 tread (24,000 TAK 4)	1
58	0019618		Wheels, Frt, Alum, Alcoa, 22.50" x 13.00" (425/445)	1
59	0022139		Tires, (8) Michelin, 315/80R22.50, 20ply, XZA-1	1
60	0019653		Wheels, Rr, Alum, Alcoa 22.50" x 9.00" tandem rear	1
61	0013768		Chocks, Wheel, Folding, Mounted, Pair	1
			Location, Wheel chock - under front portion of comp't D4.	
62	0002045		Mud flaps, w/logo front & rear	1
63	0032055		Cab, Dash-2000, 67" w/10" Raised Roof	1
64	0032100		Floor, Rubber Padded Cab & Crew Cab - DLX/Enf/AXT	1
65	0052102		Window, Side of C/C, Fixed, Sab/DLX/Enf/AXT	1
66	0012090		No Windows, Front/Side of raised roof	1
67	0002101		Windows, Rear CC, (2) 8" x 14"	1
68	0099243		Controls, Electric Roll-Up Windows, 4dr, Custom	1
69	0049606		Cabinet, EMS, DS, Outboard, Rear Facing, 42.5"H x 22"D w/seat ext, DX/Enf	1
			Door, EMS Cabinet - (2) Gortite R- Up Drs, w/lock	
70	0049609		Cabinet, EMS, PS, Outboard, Rear Facing, 42.5"H x 20"/28"D w/seat ext, DX/Enf	1
			Door, EMS Cabinet - Gortite Roll Up Door, w/lock	
71	0042265		Shelf, Adj, EMS Compt, w/Light Bracket	2
			Location - One each EMS Compartment in cab	
72	0032303		Doors, Access Sides of frwd face seat, DX/Enf/Sab/Qtm	1
73	0072143		Locks, Keyed Cab Door, Exterior only	1
74	0012084		Notch, Raised Roof, 56" square DLX/Enf/AXT	1
75	0077229		Logo/Emblem, on Horn Button	1
			Text, Row Three - TBD	
			Text, Row Two - TBD	
			Text, Row One - TBD	
76	0094002		Grille, Bright Finished, Formed, Front of cab, w/ Front Trim Band, DLX	1
77	0005772		Fenders, S/S on cab, w/Radius corner, 2.00" wide	1
78	0002501		Map box, 4 bin/30 Deg Slant, Custom Chassis	1
			Location - Mount at pick up.	
79	0055141		Cab Lift, Electric/Hydraulic, DLX/Enf/AXT/QX, w/Remote, w/Manual Override	1
80	0002189		Mirrors, Velvac 2010, West Coast Style, heated, remote	1



Line	PRIDE #	Type	Component	Qty
81	0012200		Mirror, 8" Round Convex Below West Coast	1
82	0012245		Bumper, 19" extended - all chassis'	1
83	0012225		Gravel Pan, Extended Bumper	1
84	0002268		Rods, Sight on Bumper, Bores, model BG48-10	1
85	0551539	PPC	Strap, Black Nylon Hold-down, Velcro, Hose Tray, Pair	1
86	0024229	PSC	Strap, Black Nylon Hold-down, Seat Belt, (2) Hose Trays Fill in Blank - Match 12258	1
87	0091009	PSC	Tray, Bumper, Top surface mntd, 100' of 1.75" Hose, Two Trays Fill in Blank - Match 12258	1
88	0072272		Tow Eyes, Chrome, Below Deck	1
89	0052275		Cab Interior vinyl - DLX Color, Cab Interior Vinyl - a) Silver/Gray	1
90	0012430		Cab Interior, paint color Color, Cab Interior Paint - a) gray	1
91	0046245		Seat, Driver 911 Sciss Action Air Ride, Hi-Back, w/Removable Back	1
92	0022349		Seat, Officer 911 Fixed w/SCBA, All Chassis	1
93	0002518		Radio Compt w/Non Air Ride Seat Radio Compt Size, Officer - c) DLX/Enf	1
94	0012399		[No Rear Facing Crew Cab Seats]	1
95	0012350		Seats, (2) C/C, 911 Forw Facing, w/SCBA, Inboard	1
96	0062358		Upholstery, Seats In Cab, All 911, Tuff-Tex/Vinyl Color, Cab Interior Vinyl - a) Silver/Gray	1
97	0065740		Bracket, Air Bottle Ziamatic, ULLH, Load & Lock, 1901-04, In Cab Seats	1
98	0021754		Seat, Belt, Height Adjustment	1
99	0075704		Light & Alarm, Seat Belts Not Fastened w/ Color Display Qty, Seats, Not Buckled - 6	1
100	0033498		Seat Belts, Red	1
101	0072400		Seats, (2) C/C 911, Fold-up w/SCBA, Outboard, DX/Enf/Qtm/Lx 3Dr	1
102	0057401		Side Roll Protection Package, Cab, DX/Enf Safety Package Crew Seats - 4 crew seats	1
103	0019914		Warranty, Cab (Sab/DLX/Enf/AXT/Qtm w/fixed step)	1
104	0002526		Light, Engine Compt, All Custom Chassis	1
105	0022731		Lights, Cab Inter, Officer Side, w/Weldon Dome Lights	1
106	0020583		Lights, Weldon, Dome, (2), C/C, Red/Clear	1
107	0012288		Heater/defroster, DLX/Enf	1
108	0002293		No Heater in Crew Cab	1
109	0012499		Air conditioning, DX/Enf, 10" Raised Roof w/notch, Rear Facing, Std '99 AC Pkg	1
110	0526173		Cab Instruments, DLX, Color Display	1
111	0018987		Air Restriction Indicator - DLX	1
112	0012630		Wiper control, 2-speed w/intermittent, DLX/Enf/AXT	1
113	0002565		Hourmeter, Aerial Inside Cab	1
114	0002615		Switch, Aerial 12V Master	1
115	0002617		PTO switch, w/light - aerial	1
116	0039451		Radio, Installation Only, Customer Furnished, Two-Way Mobile Location - TBD Radio, 2-Wy, Single or Du - Single 2-way radio head	2
117	0017484		Antenna, Mount Only, For 2-way Radio, Std, DLX/Enf/AXT, w/location feature Location - TBD Qty, Antenna - 02 Location, Antenna Cable - a) officer seat box	1
118	0002548		Switching, Cab Instrument & Overhead, Rocker Location, Emerg Switch - a) driver's	1
119	0035738		Command Zone, Advanced Electronics and Control System, DLX	1

Line	PRIDE #	Type	Component	Qty
120	0036773		Intercom, Setcom 900, 5-Pos, 3-Radio, 5 HS, D,O,2C,P	1
121	0006262		Setcom Radio Interface Cable	1
			Radio, Two-Way Make/Model - SPECTRA C-9 W/SMART HEAD	
122	0079212		Batteries, (6) Exide Grp 31, 950 CCA each, SAE Posts	1
123	0008621		Battery System, Single Start, All Custom Chassis	1
124	0042699		Battery Compartment, DX/Enf/QX	1
125	0091826		Charger, Sngl system, 75 AMP, Charger and Power Supply	1
126	0012782		Location, Charger, Front left body compt	1
			Location - Comp't D5	
127	0022628	PSC	Wiring, Battery Jumper Studs with Quick Disconnect	1
			Location 2 - Match last unit 12258	
128	0012719		Kussmaul Auto-Eject, 20A Recep (batt chrgr)	2
			Location - Match last unit	
			Color, Kussmaul Cover - b) red	
129	0012760		Alternator, 360 amp Niehoff C711-2 Qtm/DLX/AXT	1
130	0012744		Cigarette Lighter and Plug	1
			Location - EMS compt. back wall	
131	0033014		Wiring, Spare, Pair, Each, Third Circuit	1
			Location - Leave 72" leads TBD	
			12vdc power from - b)switched battery	
			Fuse, 12VDC - d)20 amp	
			Wire termination - s) stud	
132	0090207		Wiring, Spare, Pair, Each	2
			Location - Match last unit 12258	
			12vdc power from - a) battery direct	
			Fuse, 12VDC - d)20 amp	
			Wire termination - s) stud	
133	0090316		Wiring, Spare, Pair, Each, Second Circuit	1
			Location - TBD	
			12vdc power from - b)switched battery	
			Fuse, 12VDC - c)15 amp	
			Wire termination - s) stud	
134	0032739		Wiring, Customer Radio, Battery, Ignition & Ground	1
			Location - TBD	
135	0092582		Load Manager/Sequencer, DLX	1
			Enable/Disable Hi-Idle - e)High Idle enable	
136	0024056		Amp Draw Report, NFPA 2003 Edition	1
137	0002758		Amp Draw, NFPA Radio Allowance	1
138	0095701		Cab Lighting, LED, DLX	1
139	0095034		No Pick Req, Directionals in headlight assy option	1
140	0095044		No Lights Req'd, Front Zone Low, DLX	1
141	0045646		Light, Front Zone, Whelen 600 Red LED, 2pr, Q Bezel, Qtm/Enf/AXT	1
142	0005910		Alarm, Back-up Warning, ECCO SA917-PM2	1
143	0081665		Camera, Backup, Safety Vision, SV-CLCD65-620, Kit, Single, 6.8", LCD, 1 Color Mo	1
			Location - Center in cab	
144	0032773		Manuals, Two (2), Fire Apparatus Parts, & (1) CD, Custom Chassis	1
145	0032421		Manuals, Two (2) Chassis Service & (1) CD, Custom	1
146	0029551		Manuals, Two (2) Chassis Operation, & (1) Compact Disc, Custom	1
147	0047891		Manual/s, Maint/Service, Allison EVS 4000 Series Transmission, Add'l	1
148	0095863		Warranty, Command Zone Components, Chassis, 5 years	1
149	0002928		Electrical Diagrams	1
150	0022153		Aerial, Platform 100', Alum Body	1
151	0013386		Tank, Water, 300 Gallon, Poly, PAL/PAP	1

Line	PRIDE #	Type	Component	Qty
152	0003405		Overflow, 4" Water Tank, Poly	1
153	0028104		Foam Cell Required	1
154	0003401		Warranty Lifetime, UPF	1
155	0003429		No Direct Tank Fill Req'd	1
156	0003476		Alum Hose Bed Construction (100' PAP)	1
157	0003492		Hose Bed Capacity, Special Amount (PAP/PAL/SkyArm) Capacity, Hosebed - 900' 3" split load total 1800' 3"	1
158	0044489		Divider, Adj, Unpainted, .25" In Hose Bed, Texas Chute Out	1
159	0003502		Cover, Hose Bed, Lift-a-Dot Color, Vinyl Cover - a) red	1
160	0003509		Running Boards (PAP)	1
161	0048275	PPC	Turntable Steps-Morton Cass, Mid Mt Style (PAL, PAP, SkyArm)	1
162	0029508		Tow Eyes, Chrome (2) (Aerial)	1
163	0024110		Tray, Hose in Running Board, Soft Suction Hose Location, Hose Tray, runn - c) RH side	1
164	0013639		Construction, Compt, Alum (PAP)	1
165	0033598		Eng Compt, Trans, Full-Width, Lap Dr	1
166	0008983		Compt, DS F/H, Roll Drs, 100' PAP	1
167	0020903		Compt, DS Turntable, F/H, Roll-ups, 100' PAP	1
168	0023672		No Compt IPO Stairs Required @ DS	1
169	0020711		Compt, PS F/H, Roll Drs, 100' PAP	1
170	0020952		Compt, PS Turntable, F/H, Roll-ups, 100' PAP	1
171	0023673		No Compt IPO Stairs Required @ PS	1
172	0023914		Doors, Roll-up, Dover, Side Compts Latch, Roll-up Door - lift bar, key lock	8
173	0018820		Bumper, Rear, 5" w/Treadplate Cover, PAP/PAL/SkyArm	1
174	0085683		Cover, Over Cargo Area, Vinyl, Aerial Color, Vinyl Cover - a) red	1
175	0003982		Tray, 500 lb Slide-out w/ 2" Sides - Floor Mounted Location - Locate one each in comp'ts D1, P1, D4 and P4. Trays in compartment D4 and P4 are to be less then full width of comp't. Tool boards are to be located to the rear of each comp't. nedd 6.00" clear each side of tool board.	4
176	0034160		Compt, Backboard Storage, (2) Over Pump and Rearward, Access Both Sides Size - to hold two backboards, each backboard 72.00" long, 17.00" wide and 1.00" thick	1
177	0029313		Partition, Vertical Compt Location - One each comp't D4 and P4 approximately 15.00" from rear wall of comp't.	2
178	0054011		Tool Board, Adj Slide-Out .188 Alum, Peg Bd. Pattern Location - T/V compt two way pull out	1
179	0034008		Tool Board, .188 Alum, Slide-out, Floor Mounted Location - Compt. front of wheels, each side comp't D4 and P4. Locate to rear of comp'ts, 6.00 clear from rear door opening and 6.00" from vertical partion. one TBD	3
180	0003942		Shelves, Adjustable, 215 lb Capacity Location, Shelf - Locate one each comp't D1, D3, D4, D6, P1, P3, P4 and P6. Shelves in comp't D4 & P4 to be toward front of vertical partition. Shelves in D6 and P6 to be in lower portion of comp't.	8
181	0003945		Shelf Tracks Location - Locate at pre-build	8
182	0004016		Rubrail, Aluminum Extruded, Side of Body	1
183	0004027		Rear Fender Crowns, S/S, Two Pair	1
184	0004151		Handrails, Side Pump Panels	1
185	0064150		Handrail, Extra - 20-30" Long	2

Line	PRIDE #	Type	Component	Qty
			Location, Handrails - Rear aerial access ladder to be two rails IPO one, for repairs	
186	0004210		Compt, Air Bottle in Fender Panel	8
			Location, Bracket/comp. - Four each side of body	
187	0045527		Horizontal Mounting Tracks for Air Bottle Holders	2
			Location, Bracket/comp. - Two in DS compt over rear wheel	
			qty, Mounting Studs - 06	
188	0004218		Ladder, 35' Duo-Safety 1200A 2-Sect	1
189	0004222		Ladder, 24' Duo-Safety 900A 2-Sec	1
190	0004232		Ladder, (2) 16' Duo-Safety 875A Roof	1
191	0004233		Ladder, 14' Duo-Safety Fresno 701	1
192	0004246		Ladder, 10' Duo-Safety Folding 585A	1
193	0024310		Ladders Stored in Torque Box, Dover Roll (ML, HL, PAP)	1
			Color, Roll-up Door - a) std. anodized alum	
194	0004249		Slides, Dura-Surf, Ground Ladder Storage,(PAL/PAP)	1
195	0004998		Pike Poles, 12' Nupla "I" Beam Fiberglass	2
196	0044337		Pike Poles, 8' FG Nupla "I" Beam Handles	2
197	0044348		Pike Poles, 6' Nupla "I" Beam Handles	2
198	0004344		Pike Poles, 3' Fiberglass w/"D" Handles	2
199	0004383		Steps, Folding, Front Bulkheads (Aerial)	1
200	0004390		Step, Folding - Extra, Body Only	2
			Location, Additional Step - Locate at pick-up	
201	0004425		Pump, 1500 CSUY Single Stage, Waterous	1
202	0004482		Seal, Mechanical, Waterous	1
203	0091446		Pump Setup Charges N/A	1
204	0021452		Transmission, Pump - "YBX", Waterous, w/"E" drop	1
205	0014480		Shift, Air w/ Manual Over, Split Shaft PTO, Waterous	1
206	0003148		Transmission Lock-up, EVS	1
207	0004547		Auxiliary Cooling System	1
208	0014486		(No Transfer Valve Required on 1 Stage Pump)	1
209	0004513		Valve, Relief Intake, Waterous	1
210	0010449		Controller, Pressure	1
			Pressure Governor Type - Non-DDEC Elect	
211	0030166		Primer, Waterous, VPO, Oil Free	1
212	0063510		Warranty, Waterous 5 Yrs	1
213	0058516		Manuals, Pump (2), CD, Waterous	1
214	0004590		Pump Test, Third Party	1
215	0089351		Plumbing, Stainless Steel & Hose (Control Zone)	1
216	0064656		No Black Iron Pipe req'd with S/S Plumbing	1
217	0032998		Warranty, 10 Year Stainless Steel Plumbing	1
218	0004645		Inlets, 6.00" - 1250 GPM or Larger Pump	1
219	0004646		Cap, Long Handle Pump Inlet, NST - VLH	1
220	0014650		Short Suction Tube, Both Sides	1
221	0084610		Valves, Akron 8000 series- All	1
222	0004660		Inlet, LH Side, 2.50" gated	1
223	0004680		Inlet, RH Side, 2.50" gated	1
224	0004685		Valve, Inlet(s) - Outside Panel	1
225	0034720		Anode, Zinc, Pair, Pump Inlets	1
226	0004700		Inlet Control At Valve	1
227	0092569		No Rear Inlet (Large Dia) Requested	1
228	0092696		No Rear Suction Cap	1
229	0064116		No Rear Inlet Actuation	1
230	0009648		No Rear Intake Relief Valve Req'd	1
231	0092568		No Rear Inlet (auxiliary) Requested	1

Line	PRIDE #	Type	Component	Qty
232	0004699		Valve, .75 Bleeder,Aux. Side Inlet	1
233	0022033		Line, (1) 3.00" Tank to Pump,w/Check Valve, Reverse Linkage, Aerial	1
234	0004905		Outlet, 1.50" Tank Fill	1
235	0004940		Outlet(s), LH Side, 2.50"	2
236	0092570		No Additional Outlet (LH) Requested	1
237	0004945		Outlet(s), RH Side, 2.50"	2
238	0092571		No Additional Outlets (RH) Requested	1
239	0029137		No Large Diameter Discharge Requested	1
240	0092572		No Front Outlet Requested	1
241	0092575		No Rear Outlet Requested	1
242	0092574		No Rear Outlet (Added) Requested	1
243	0092573		No Hosebed/Running Board Outlet	1
244	0085076		Caps for 1.50" - 3.00" Discharges - VLH	1
245	0005043		Valve, Bleeder - .75" Quarter Turn	1
246	0005091		Elbows, 45 Degree - 2.50" Outlets LH - VLH	1
247	0035094		No Elbows Req'd (Added LH Outlets)	1
248	0025091		Elbows, 45 Degree - 2.50" Outlets RH - VLH	1
249	0089584		No Elbow req'd (Added RH Outlet not requested)	1
250	0045099		No Elbows Req'd, Rear Outlets	1
251	0085695		No Elbows Req'd, Added Rear, Large Outlet	1
252	0007308		No Elbows Req'd, Side Large Dia Discharge	1
253	0062133		Control, Outlets, Manual, Pierce HW if applicable	1
254	0029106		No Deluge Riser Requested	1
255	0029302		No Monitor Requested	1
256	0029304		No Nozzle Req'd	1
257	0029107		No Deluge Mount	1
258	0005096		Waterway Outlet & Control, Waterous, handwheel (PAP, SkyArm)	1
259	0005140		Crosslay, 1.50" Std. Cap (Pan Style)	2
260	0029196		No 2.50" Crosslay Requested	1
261	0029260		Speedlays not requested	1
262	0005424		Foam Sys, Elkhart Eductor 240-125P (Single Agent)	1
			Discharge - #1 Cross lay	
263	0012126		CAF Compressor Not Required	1
264	0031896		Demonstration, Foam System, Dealer Provided	1
265	0005447		Foam Cell, 30 Gallon	1
			Foam, Brand Name - TBD	
			Type of Foam - Class "B"	
266	0091036		Drain, 1.00" Foam Tank #1	1
267	0091079		No Foam Tank #2 Required	1
268	0091112		No Foam Tank Drain	1
269	0007575		Pump House - Side Control 48", "Waterous Control Zone"	1
270	0036124		Pump Panel Configuration, Control Zone, Match Previous Unit	1
			Fill in Blank - 12258	
271	0005580		Step, Slide-Out Pump Op. Platform (Aerial)	1
272	0005525		Panel, Pump and Gauge, Brushed S/S	1
273	0005578		Panel, Pump Access - Pass Side Only	1
274	0035501		Pump House Structure, Std Height	1
275	0087326		Gauges, Engine - Pump Panel, Color Display	1
276	0005601		Throttle Included w/ Pressure Controller	1
277	0015629		Indicator Lights @ Pump Panel, DLX/QX	1
278	0005780		Control, Air Horn at Pump Panel	1
279	0005139		Panel, Pump, Match Customers Previous Unit	1
			Fill in Blank - 12258	

Line	PRIDE #	Type	Component	Qty
280	0009152		Gauges, 4" Master - NoShok, S/S Case, 30"-0-600psi	1
281	0006542		Gauge, 2.5" Pressure - NoShok, S/S Case, 30"-0-400psi	1
282	0005651		Gauge, Water Level, Incand 5 Light, IC	1
283	0055163		Water Level Gauge, Whelen PSTANK, LED 1-Light, 4-Level	2
			Location - Side of cab	
			Activation, Water Level G - pg) pump in gear	
284	0077263		Gauge, Foam Level, Incand 5 Light, IC	1
285	0017009		Light Shield Assembly, Side Mount, Std	1
286	0027026		Step/Light Shield, Addn'l, 4-Way, 8" Depth, PS	1
287	0005896		Wiring, DLX/QX	1
288	0092871		Lights, Step, (6) Weldon 9186-23882-30, aerial with pump	1
289	0008980		Light, Step, Additional, Weldon 9186-23882-30	2
			Location, lights - Customer to Locate	
290	0039828		Lights, Tail, Whelen 600 Red LED & 600 Amber, LED, Pop Arrow	1
			Flange Kit, 2pr - w/with a flange	
291	0039215		Lights, Backup, Whelen 600, LED	1
			Flange Kit, Whelen 6E - w)6E or 64 Flange Kit	
292	0090155		Lights, Identification/Clearance, Rear, Truck-Lite, 35 LED	1
293	0005924		Light, Do not move apparatus, Custom	1
294	0092565		Messages, Open Door/Do Not Move Truck - DLX/QX	1
295	0091203		Lights, Compt, Class 1, Krystal-lite "Brite Lamp", IPOS, 3 lights	10
			Location - Each Comt.	
296	0005945		Light, Pump Compartment	1
297	0005947		Perimeter Scene Lights, Cab Exit Areas, NFPA (STD)	1
			Cab, Perimeter Scene - Cab, 4dr Custom	
298	0005942		Lights, Perimeter Scene (4), Pump Panel/Rear Step Area	1
			Switch, Location, Perim - DS overhead sw pnl	
299	0039768		Lights, Side Scene, Whelen 900 Halogen	1
			Location, lights - Each side of cab match 12258	
			Switch, 4 Scene Cntrl, Dr - a) no switch control	
			Switch, 1 Scene Cntrl - a)driver side cab sw panel	
			Scene Light Angle - d)8 to 32 degree internal opti	
			Switch, 2 Scene Cntrl - n) no additional control, 2	
			Switch, 3 Scene Cntrl - n) No additional control, 3	
			Flange Kit - w/o) with out flange	
300	0005956		Lights, Unity A Deck-Rear, Aerial	1
301	0066052		Air Horns, (2) Grover in Bumper Outside Frame	1
			Location, Air Horn (bmpr) - Front bumper	
302	0006062		Push Button Control for Air Horns	1
303	0008593		Siren, Federal E-Q2B	1
304	0016133		Location, Electronic Siren, Swivel Mount Centered Overhead	1
305	0006145		Switches, Horn Button and Officer Toe - For Elect Siren	1
306	0030604		Speaker, Federal BP200-EF, recess bumper	1
			Location - Match last unit	
307	0057905		Lightbar, Whelen, Freedom FNMINI, 24" LED pair, NFPA	1
			Angle, Front Lightbar - 13 degrees	
308	0056848		Lights, Front Zone Upper, Platform, Whelen 3-50R03ZRR, Super 500 LED, Red	1
309	0058608		Lights, Whelen Freedom FNMINI, 28.5", Pair, 4-Red	1
			Lightbar Location, Cab/Cr - cc)over the crew cab doors	
310	0006308		Mounting, Mini Lightbars, 30 Degree Angle, Cab Rf	1
311	0038717		Lights, Side, Whelen, 600, LED	1
			Location, lights - Match location #12258	
			Color, Lights, Warning - a) red	

Line	PRIDE #	Type	Component	Qty
312	0038721		Flange Kit - w)with flange Lights, Side, Whelen, 900 LED Location, lights - Match location 12258 Color, Lights, Warning - a) red Flange Kit - w)with flange	2
313	0058289		Light, Traffic Directing, Rear, Whelen TAL65, LED, 36" Activation, Traffic Dir L - c)with the control head Location, Traffic Lt Cntr - d) driver side Mount, Traffic Dir Lt - s)surface mount	1
314	0038511		Light, Side Zone Lower, Whelen 900, LED, 2pr Location, lights rear fen - 12258 Location, lights firt side - b)each side bumper Color, Lt, Rear Fender - r)red Color, Lt, Front Bumper - rr)red, front side lights Flange Kit, 2pr - w)with a flange	1
315	0016380		No Additional Lights Req'd, Side Zone Upper	1
316	0028109		Lights, Rear Zone Lower, Whelen 700 LED Flange Kit - w)with flange	1
317	0057366		Light, Rear Zone Upper, Whelen RB6T Beacon Color, Dome, Rear Warning - e)DS red & PS amber	1
318	0038146		Light, Rear Zone Upper Block, Whelen 600, LED Location, lights - Above tail lights Color, Whln 600 LED - a) rd/rd Flange Kit - w)with flange	1
319	0006646		Electrical System, A/C, General Design	1
320	0095478		Harrison 8 kW MAS Hydraulic, Hotshift PTO Generator Interlocks - No Interlocks	1
321	0006645		Location, Hydraulic Generator Above Pump Location, Generator - Over pump compt. right side	1
322	0016752		Starting Switch for Truck Engine Powered Generator	1
323	0016757		Remote Start Not Req'd for Generator	1
324	0016740		Fuel System, None Required	1
325	0016767		Oil Drain Extension Not Req'd for Generator	1
326	0016771		Routing Exhaust Not Req'd for Generator	1
327	0036738		Circuit Breaker Panel, Included With PTO Generator Location, CB Panel - compt. D4, front wall	1
328	0006736		Cover, Generator, Above Pump	1
329	0056604		Pump, thru-pump, For Hydraulic Driven Generators	1
330	0016976		Lights, Churchville (2) 500W w/Telepole @ Basket	1
331	0006825		Reel, Electric Cable - Hannay 1600 (3-wire) Location, Cord Reel - TBD Reel Guide - a) Nylatron guide	2
332	0006827		Cord, Electric, 12/3 Yellow Feet of Yellow Cord - e)200 Connection, Cord - no connection	2
333	0026824		Box, Junction, Woodhead 3)120V TL & 1)240V TL, 20A Connection, Cord - direct	2
334	0006824		Holder, Junction Box Location - With reel	2
335	0016794		Receptacle, Outlet, 6-Place, 120 Volt, 15 Amp, Shoreline Location, Receptacles - Cab TBD	1
336	0066681		Receptacle, Str Blade Duplex 15 Amp Gen., Interior Location, Receptacles - Cab TBD	1

Line	PRIDE #	Type	Component	Qty
337	0006790		Receptacle, 20 Amp 120V 3-Prong Twistlock Location, Receptacles - One each side of body over rear wheels and one each side of cab, low behind crew cab doors, and one each side of rear cab for customer mounted lights.	6
338	0000000	Color, F Hose, Hydraulic, Red/Black, Polyflex Hose, 50' (Holmatro)	Color, Hydraulic Hose 1 - i) orange Brand, Model, Age of Tool - Halmatro Location, Reel - Body compt Fill in Blank - Ten 8 Location - Ten 8 to install on each reel Location, Power Unit - Body Color - 9) orange Reel Guide - a) Nylatron guide Color, Hydraulic Hose 6 - i) orange	2
339	0007008		Hose, Hydra., Blu/Blu Holmatro 12', P.U.to Reel	1
340	0006990		Reel, Hydraulic, 100' Cap., .25" Dual Hose(Hannay) (Any Make Tool) Brand, Model, Age of Tool - TBD Location - Mount in comp't D1 toward back of comp't. Reel Guide - a) Nylatron guide	1
341	0022160		Aerial, 100' Pierce Platform	1
342	0000043		Boom Support, Recessed in Engineer Compartment	1
343	0076901		Basket, PAP, Wide	1
344	0056905		Basket Heat Shields	1
345	0016974		Spotlights, Collins Fx-12 On Basket (PAP)	1
346	0057598		Electrical System, 100' PAP	1
347	0092763		Control Stations, 85'/100' PAP	1
348	0000879		Stabilizers, Two Sets (PAP)	1
349	0045416		Light, Stabilizer Warning, (2) sets, Whelen 900, LED Color, Lights, Warning - a) red Flange Kit, Whelen 9E - w) with 9E flange	1
350	0018658		Hydraulic System (100' PAP)	1
351	0016918		Swivels (32 Collector Rings)	1
352	0006999		Warranty, 20 Year Structural (PAL, PAP)	1
353	0096300		Warranty, Command Zone Components, Body, 5 years	1
354	0016930		120 Volt To Tip, 20 Amp (PAP)	1
355	0016925		Intercom, 3-Way Atkinson (PAP)	1
356	0049846		Breath Air To Tip (85/100 PAP), (1) 4500 PSI, w/o Masks	1
357	0024742		Mask, Breathing Air To Tip, Not Required	1
358	0076943		Outlet, Breathing Air at Basket, Additional Location - Rear corner of basket each side	2
359	0056918		No Raised Aerial Pedestal Required	1
360	0076983		Box, Air Mask Storage @ Turntable	1
361	0076978		Box, Hose Storage @ Platform w/Cover, 100'/1.75"	1
362	0058979		Brackets, Axe in PAP Basket (No Ax)	1
363	0006979		Brackets only, Ax (6lb or 8lb) @ Aerial Fly Section	1
364	0006981		Brackets, Pike Pole @ Aerial Fly Section (No Pole) Size, Ladder/Pike Pole - 8'	1
365	0089977		Brackets, Stokes Storage @ Aerial Base Section Location - Base section of ladder	1
366	0046987		LyfeEye Rappelling Arms On Platform Basket	1
367	0048758		Lyfe Brackets, 3-In-1, Wide Basket	1
368	0016950		Waterway, 100' PAP	1
369	0016951		(2) Preconnects At Platform (PAP)	1
370	0026208		Monitor, Aerial, Single (Electric) (PAP)	1



Line	PRIDE #	Type	Component	Qty
			Monitor, Aerial (PAP) - Akron 3578 Electric w/5078	
371	0086971		Flowmeter, Waterway, Mux (PAP)	1
372	0004836		Inlet, 5.00" at Rear (PAP, PAL)	1
373	0089681		Waterway Shutoff Valve, Elect. Op. (Mux Aerial)	1
374	0047897		Tools, Aerial, PAL/PAP/SkyArm	1
375	0016980		Manuals and Training (PAP)	1
376	0007150		Bag of Nuts and Bolts	1
			Qty, Bag Nuts and Bolts - 1	
377	0037022		Soft Suction Not Required	1
378	0007056		Axe(s), Pickhead w/ Fiberglass Handle	1
379	0007482		Crowbars Not Required	1
380	0007484		Claw Tools Not Required	1
381	0007490		Axes, Flathead Not Required	1
382	0007492		Axes, Pickhead Not Required	1
383	0007494		Sledgehammers Not Required	1
384	0007210		Paint, Two Tone, Cab, Custom Cab/Commercial Cab	1
			Paint Color, Upper Area - White #10	
			Paint, Color - Red #396	
385	0017242		Paint Chassis Frame Assy. Job Color	1
386	0065653		Warranty, 10 Year Standard Paint	1
387	0007230		Compartment paint, Spatter gray	1
388	0007238		Aerial Platform Paint, White 10	1
389	0007339		Reflective Band, 10" - 2"	1
			Color, Reflect Band - A - a) white	
			Color, Reflect Band - B - o) blue	
390	0027341		Jog, In Reflective Stripe, Single or Multiple	2
391	0008618		Stripe, .50" Reflective Outline on Reflective Band	2
			Color, Reflect Band - A - d) blue	
392	0007356		Reflective across Cab Face	1
393	0065687		Stripe, Reflective, Cab Doors Interior	1
			Color, Reflective - c) ruby red	
394	0087357		Molding, Chrome on side of cab	1
395	0007368		Lettering, 10" Reflective w/Shade On Ladder-PAL/PAP/Sky	1
			Paint, Color - white	
			Color, Lettering - e) black	
396	0027284		Lettering Specifications, (Traditional Process)	1
397	0079253		Lettering, Reflective 3" w/outline (41-60)	1
398	0018599		Lettering, Reflective w/outline & shade, Roll-up Drs	24
			Location, Lettering - Body doors, match 12258	
			Size, Lettering, Reflect - 06	
			Color, Lettering - c) blue	
399	0047138		Lettering, Reflective w/outline or shade, Roll-up Drs	2
			Location, Lettering - rear body door	
			Size, Lettering, Reflect - 10	
			Color, Outline/Shadow - a) black	
			Color, Lettering - c) blue	
400	0000637		Emblem, Eagle Head/Flag, Color Imaged, Pair	1
			Location, Emblem - Side of platform basket.	
			Size, Color Imaged Seals - d)	
401	0008555		2% Handling Charge on 100' PAP	1
402	0000000		Warranty and Administration	1
403	0000000		Inspection Trips (2) and Delivery	1
404	0000000		Inspection Trips (2) and Delivery	1



**Condensed Title:**

Ordinance amending Ordinance No. 1605, the Unclassified Employees Salary Ordinance

**Key Intended Outcome Supported:**

Attract and maintain a quality workforce

**Issue:**

Shall the City provide appropriate titles and salary ranges for individuals performing specific duties and provide a classification and compensation system that is fair and representative of the functions performed in the City by amending the Unclassified Salary Ordinance? Shall approval be granted to allow up to a 20% increase above the maximum of the range for designated classifications when justified?

**Item Summary/Recommendation:**

The Ordinance amending Ordinance No. 1605, the Unclassified Employees Salary Ordinance, establishing the classifications of Bicycle Program Coordinator, Case Worker II, Chief Building Code Compliance Officer, Chief Fire Protection Analyst, Community Information Coordinator, Emergency Management Coordinator, Environmental Resources Manager, Film & Event Production Manager, Grants & Operations Administrator, Labor Relations Director, Labor Relations Specialist, Landscape Projects Coordinator, Management Consultant, Media Assistant, Neighborhood Services Projects Administrator, Park Facility Manager, Radio Systems Administrator, Senior Management Consultant, Senior Network Administrator, Senior Systems Analyst, Senior Systems Administrator, Senior Telecommunications Specialist, Systems Administrator, Systems Analyst, Telecommunications Specialist, Traffic Engineer, Transportation Manager, Truancy Prevention Program Coordinator, Urban Forester and VOIP Network Administrator. For positions that require special skills, certification or that by virtue of market conditions, such as Engineers, Information Technology and Construction positions, the City Manager may approve a Market Rate Analysis (MRA) of up to 20% above the maximum pay range. In determining these MRA's, an analysis of competitive rates for the market will be done to determine the appropriate adjustment with approval by the City Manager. With regard to the Attorneys in the Legal Department, the City Attorney shall be responsible for the MRA analysis, and shall determine the appropriate adjustment of up to 20% above the maximum pay range. At its December 7, 2005 meeting, the Commission requested that the Administration make an amendment to the Ordinance so that whenever the City Manager or City Attorney implements the adjustment of up to 20% above the maximum pay range the City Commission will be notified in writing. That change has been incorporated into the accompanying Ordinance.



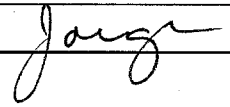
The Commission approved the Ordinance on first reading on December 7, 2005, and set a second reading, public hearing for January 11, 2006. The Administration recommends that the City Commission adopt the Ordinance.

**Advisory Board Recommendation:****Financial Information:**

Source of Funds:	Amount	Account	Approved
1			
OBPI	Total		

Financial Impact Summary:

**City Clerk's Office Legislative Tracking:****Sign-Offs:**

Department Director	Assistant City Manager	City Manager
 for MDB		

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MIAMI BEACH

 AGENDA ITEM RSA  
 DATE 1-11-06



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: City Manager Jorge M. Gonzalez

DATE: January 11, 2006

SUBJECT: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 1605, THE UNCLASSIFIED EMPLOYEES SALARY ORDINANCE, BY ESTABLISHING THE CLASSIFICATIONS OF BICYCLE PROGRAM COORDINATOR, CASE WORKER II, CHIEF BUILDING CODE COMPLIANCE OFFICER, CHIEF FIRE PROTECTION ANALYST, COMMUNITY INFORMATION COORDINATOR, EMERGENCY MANAGEMENT COORDINATOR, ENVIRONMENTAL RESOURCES MANAGER, FILM & EVENT PRODUCTION MANAGER, GRANTS AND OPERATIONS ADMINISTRATOR, LABOR RELATIONS DIRECTOR, LABOR RELATIONS SPECIALIST, LANDSCAPE PROJECTS COORDINATOR, MANAGEMENT CONSULTANT, MEDIA ASSISTANT, NEIGHBORHOOD SERVICES PROJECTS ADMINISTRATOR, PARK FACILITY MANAGER, RADIO SYSTEMS ADMINISTRATOR, SENIOR MANAGEMENT CONSULTANT, SENIOR NETWORK ADMINISTRATOR, SENIOR SYSTEMS ANALYST, SENIOR SYSTEMS ADMINISTRATOR, SENIOR TELECOMMUNICATIONS SPECIALIST, SYSTEMS ADMINISTRATOR, SYSTEMS ANALYST, TELECOMMUNICATIONS SPECIALIST, TRAFFIC ENGINEER, TRANSPORTATION MANAGER, TRUANCY PREVENTION PROGRAM COORDINATOR, URBAN FORESTER, AND VOIP NETWORK ADMINISTRATOR; AMENDING THE GRADES OF THE NETWORK ADMINISTRATOR, PROCUREMENT COORDINATOR AND SENIOR PROCUREMENT SPECIALIST CLASSIFICATIONS; PROVIDING FOR A REPEALER, SEVERABILITY, EFFECTIVE DATE, AND CODIFICATION.**

### ADMINISTRATION RECOMMENDATION

The Ordinance was approved on first reading on December 7, 2005. The Commission set a second reading, public hearing for January 11, 2006. The Administration recommends that the City Commission adopt the Ordinance on second reading.

### ANALYSIS

The Administration needs to provide appropriate titles and salary ranges for individuals performing specific duties. Incumbents in these positions have been performing their functions using similar titles and grades, pending this approval. As a result, classifications need to be established and amended. For positions that require special

skills, certification or that by virtue of market conditions, such as Engineers, Information Technology and Construction positions, the City Manager may approve a Market Rate Analysis (MRA) of up to 20% above the maximum pay range. In determining these MRA's, an analysis will be done to determine the appropriate adjustment with approval by the City Manager. With regard to the Attorneys in the Legal Department, the City Attorney shall be responsible for the MRA analysis, and shall determine the appropriate adjustment of up to 20% above the maximum pay range.

At its December 7, 2005 meeting, the Commission requested that the Administration make an amendment to the Ordinance so that whenever the City Manager or City Attorney implements the adjustment of up to 20% above the maximum pay range the City Commission will be notified in writing. That change has been incorporated into the accompanying Ordinance.

The following classifications are being established:

1. Bicycle Program Coordinator (grade 12)
2. Case Worker II (grade 9)
3. Chief Building Code Compliance Officer (grade 16)
4. Chief Fire Protection Analyst (grade 16)
5. Community Information Coordinator (grade 16)
6. Emergency Management Coordinator (grade 17)
7. Environmental Resources Manager (grade 16)
8. Film & Event Production Manager (grade 16)
9. Grants & Operations Administrator (Grade 11)
10. Labor Relations Director (Grade 19)
11. Labor Relations Specialist (grade 13)
12. Landscape Projects Coordinator (grade 16)
13. Management Consultant (grade 16)
14. Media Assistant (grade 11)
15. Neighborhood Services Projects Administrator (grade 17)
16. Park Facility Manager (grade 16)
17. Radio Systems Administrator (grade 16)
18. Senior Management Consultant (grade 16)
19. Senior Network Administrator (grade 16)
20. Senior Systems Analyst (grade 15)
21. Senior Systems Administrator (grade 16)
22. Senior Telecoms Specialist (grade 15)
23. Systems Analyst (grade 14)
24. Systems Administrator (grade 15)
25. Telecoms Specialist (grade 14)
26. Traffic Engineer (grade 16)
27. Transportation Manager (grade 17)
28. Truancy Prevention Program Coordinator (grade 11)
29. Urban Forester (grade 16)
30. VOIP Network Administrator (grade 16)

The following grades are being changed as included in this Ordinance amendment:

Network Administrator	was a grade 16	and is now a grade 15
Procurement Coordinator	was a grade 11	and is now a grade 13
Sr. Procurement Specialist	was a grade 12	and is now a grade 14

## **Conclusion**

By establishing 30 new classifications and amending the grades for Network Administrator, Procurement Coordinator and Senior Procurement Specialist, the Ordinance amendment will ensure that the City has an employee classification and compensation system which is fair and representative of the functions performed in the City.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 1605, THE UNCLASSIFIED EMPLOYEES SALARY ORDINANCE, BY ESTABLISHING THE CLASSIFICATIONS OF BICYCLE PROGRAM COORDINATOR, CASE WORKER II, CHIEF BUILDING CODE COMPLIANCE OFFICER, CHIEF FIRE PROTECTION ANALYST, COMMUNITY INFORMATION COORDINATOR, EMERGENCY MANAGEMENT COORDINATOR, ENVIRONMENTAL RESOURCES MANAGER, FILM & EVENT PRODUCTION MANAGER, GRANTS AND OPERATIONS ADMINISTRATOR, LABOR RELATIONS DIRECTOR, LABOR RELATIONS SPECIALIST, LANDSCAPE PROJECTS COORDINATOR, MANAGEMENT CONSULTANT, MEDIA ASSISTANT, NEIGHBORHOOD SERVICES PROJECTS ADMINISTRATOR, PARK FACILITY MANAGER, RADIO SYSTEMS ADMINISTRATOR, SENIOR MANAGEMENT CONSULTANT, SENIOR NETWORK ADMINISTRATOR, SENIOR SYSTEMS ANALYST, SENIOR SYSTEMS ADMINISTRATOR, SENIOR TELECOMMUNICATIONS SPECIALIST, SYSTEMS ADMINISTRATOR, SYSTEMS ANALYST, TELECOMMUNICATIONS SPECIALIST, TRAFFIC ENGINEER, TRANSPORTATION MANAGER, TRUANCY PREVENTATION PROGRAM COORDINATOR, URBAN FORESTER, AND VOIP NETWORK ADMINISTRATOR; AMENDING THE GRADES OF THE CLASSIFICATIONS OF NETWORK ADMINISTRATOR, PROCUREMENT COORDINATOR AND SENIOR PROCUREMENT SPECIALIST; FURTHER PROVIDING THAT THE CITY MANAGER MAY APPROVE A MARKET RATE ANALYSIS (MRA) OF UP TO 20% ABOVE THE MAXIMUM PAY RANGE, IN DETERMINING APPROPRIATE ADJUSTMENTS FOR POSITIONS THAT REQUIRE SPECIAL SKILLS, CERTIFICATIONS, OR AS A RESULT OF MARKET CONDITIONS, AND PROVIDING THAT THE CITY ATTORNEY SHALL APPROVE THE MRA'S, AS SET FORTH ABOVE, FOR ATTORNEYS IN THE LEGAL DEPARTMENT; PROVIDING FOR A REPEALER, SEVERABILITY, EFFECTIVE DATE, AND CODIFICATION.

**WHEREAS**, there is a need to establish certain classifications and amend the grades of certain classifications, in order to ensure that the City has an employee classification and compensation system which is fair and representative of the functions performed in the City. For positions that require special skills, certification or that by virtue of market conditions, such as Engineers, Information Technology and Construction positions, the City Manager may approve a Market Rate Analysis (MRA) of up to 20% above the maximum pay range. In determining these MRA's, an analysis will be done to determine the appropriate adjustment with approval by the City Manager. With regard to the Attorneys in the Legal Department, the City Attorney shall be responsible for the MRA analysis, and shall determine the appropriate adjustment of up to 20% above the maximum pay range; and

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:**

**SECTION 1:** That the following lines of the Unclassified Salary Ordinance No. 1605 are amended to read as follows:

**CLASS AND PAY GRADES, SALARIES AND CLASSIFICATIONS**

**A. Salary Grades and Ranges**

<b>GRADE</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
<b>26</b>	Determined by City Commission	Determined by City Commission
<b>25</b>	\$124,601	\$201,147
<b>24</b>	\$114,614	\$185,114
<b>23</b>	\$105,479	\$170,359
<b>22</b>	\$97,072	\$156,780
<b>21</b>	\$89,335	\$144,285
<b>20</b>	\$82,214	\$132,783
<b>19</b>	\$75,661	\$122,198
<b>18</b>	\$69,630	\$112,460
<b>17</b>	\$64,079	\$103,496
<b>16</b>	\$58,729	\$95,246
<b>15</b>	\$54,268	\$87,653
<b>14</b>	\$49,946	\$80,667
<b>13</b>	\$45,965	\$74,238
<b>12</b>	\$42,301	\$68,319
<b>11</b>	\$38,929	\$62,874
<b>10</b>	\$35,826	\$57,861
<b>9</b>	\$32,971	\$53,251
<b>8</b>	\$30,343	\$49,007



7	\$27,924	\$45,100
6	\$25,699	\$41,505
5	\$23,650	\$38,196
4	\$21,765	\$35,153
3	\$20,030	\$32,351
2	\$18,434	\$29,772
1	\$16,965	\$27,398

## B. Grades and Classifications

GRADE	CLASSIFICATION	UNION
26	City Attorney	Unclassified
26	City Manager	Unclassified
25	Deputy City Manager	Unclassified
24	Assistant City Manager	Unclassified
24	Chief Deputy City Attorney	Unclassified
24	Chief Financial Officer	Unclassified
23	Deputy City Attorney	Unclassified
23	Fire Chief	Unclassified
23	Police Chief	Unclassified
22	Executive Assistant to the City Manager	Unclassified
22	Public Works Director	Unclassified
21	Assistant Chief of Police	Unclassified
21	Assistant Fire Chief	Unclassified
21	Building Director	Unclassified
21	Capital Improvement Projects Director	Unclassified
21	City Clerk	Unclassified
21	First Assistant City Attorney	Unclassified
21	General Services Director	Unclassified
21	Human Resources Director	Unclassified
21	Budget & Performance Improvement Director	Unclassified
21	Neighborhood Services Director	Unclassified
21	Parking Director	Unclassified
21	Planning Director	Unclassified
21	Parks & Recreation Director	Unclassified
20	Assistant Director - Finance	Unclassified
20	Community / Economic Development Director	Unclassified
20	Cultural Affairs & Tourism Development Director	Unclassified

20	Fire Division Chief	Unclassified
20	Fire Marshall	Unclassified
20	Information Technology Division Director	Unclassified
20	Police Division Major	Unclassified
19	Assistant Director - Building	Unclassified
19	Assistant Director – CIP	Unclassified
19	Assistant Director - Community / Economic Development	Unclassified
19	Assistant Director - Public Works	Unclassified
19	Bass Museum Director	Unclassified
19	Ocean Rescue Division Chief	Unclassified
19	Budget Officer	Unclassified
19	Chief of Staff	Unclassified
19	City Engineer	Unclassified
19	Code Compliance Director	Unclassified
19	Community Information Manager	Unclassified
19	Executive Assistant to the Chief	Unclassified
19	Fleet Management Division Director	Unclassified
19	Internal Auditor	Unclassified
19	<b><u>Labor Relations Director</u></b>	<b>Unclassified</b>
19	Police Captain	Unclassified
19	Police Commander	Unclassified
19	Procurement Division Director	Unclassified
19	Property Management Division Director	Unclassified
19	Public Information Coordinator	Unclassified
19	Sanitation Director	Unclassified
19	Senior Assistant City Attorney	Unclassified
19	Special Assistant to the City Manager	Unclassified
19	Transportation and Concurrency Manager	Unclassified
18	Affirmative Action Officer	Unclassified
18	Application Systems Manager	Unclassified
18	Assistant Director - Neighborhood Services	Unclassified
18	Assistant Director - Parking	Unclassified
18	Assistant Director - Parks	Unclassified
18	Assistant Director – Planning	Unclassified
18	Assistant Director - Recreation	Unclassified
18	Assistant Director- Tourism and Cultural Development	Unclassified
18	Chief Accountant	Unclassified
18	Expenditure / Treasury Manager	Unclassified
18	Finance Manager	Unclassified
18	Human Resources Administrator II	Unclassified
18	Labor Relations Division Director	Unclassified
18	Redevelopment Coordinator	Unclassified
18	Revenue Manager	Unclassified
18	Senior Capital Projects Coordinator	Unclassified

18	Systems Support Manager	Unclassified
18	Technical Services Manager	Unclassified
18	Utilities Superintendent	Unclassified
17	Account Manager - Finance	Unclassified
17	Arts, Culture & Entertainment Director	Unclassified
17	Assets Manager	Unclassified
17	Assistant Director - Code Compliance	Unclassified
17	Assistant Division Director - Property Management	Unclassified
17	Assistant For Labor Relations	Unclassified
17	Assistant to the Neighborhood Services Director	Unclassified
17	Assistant Internal Auditor	Unclassified
17	Call Center / Customer Service Manager	Unclassified
17	Capital Improvement Administrator - Finance	Unclassified
17	Capital Projects Coordinator	Unclassified
17	Chief Accessibility Inspector	Unclassified
17	Chief Structural Plans Examiner	Unclassified
17	Code Compliance Division Director	Unclassified
17	Community Development and Housing Division Director	Unclassified
17	Construction Management Division Director	Unclassified
17	Cultural Affairs Program Manager	Unclassified
17	Economic Development Division Director	Unclassified
<b><u>17</u></b>	<b><u>Emergency Management Coordinator</u></b>	<b><u>Unclassified</u></b>
17	Employment Supervisor	Unclassified
17	Grants Manager	Unclassified
17	Historic Preservation Coordinator	Unclassified
17	Housing Manager	Unclassified
17	Manager – Finance	Unclassified
<b><u>17</u></b>	<b><u>Neighborhood Services Projects Administrator</u></b>	<b><u>Unclassified</u></b>
17	Office of Community Services Division Director	Unclassified
17	Organizational Development & Training Coordinator	Unclassified
17	Planning & Zoning Manager	Unclassified
17	Preservation & Design Manager	Unclassified
17	Risk Manager	Unclassified
17	Service Delivery Manager	Unclassified
17	Special Projects Coordinator	Unclassified
<b><u>17</u></b>	<b><u>Transportation Manager</u></b>	<b><u>Unclassified</u></b>
16	Assistant Director - Procurement Division	Unclassified
16	Assistant Director - Sanitation	Unclassified
16	Assistant City Attorney II	Unclassified
16	Assistant City Clerk	Unclassified
16	Capital Improvement Administrator	Unclassified
16	Capital Projects Administrator	Unclassified
<b><u>16</u></b>	<b><u>Chief Building Code Compliance Officer</u></b>	<b><u>Unclassified</u></b>
16	Chief Building Inspector	Unclassified

16	Chief Electrical Inspector	Unclassified
16	Chief Elevator Inspector	Unclassified
16	Chief Engineering Inspector	Unclassified
<b>16</b>	<b><u>Chief Fire Protection Analyst</u></b>	<b><u>Unclassified</u></b>
16	Chief Mechanical Inspector	Unclassified
16	Chief Plumbing Inspector	Unclassified
16	Civil Engineer III	Unclassified
16	Claims Coordinator	Unclassified
16	Community Development Coordinator	Unclassified
<b>16</b>	<b><u>Community Information Coordinator</u></b>	<b><u>Unclassified</u></b>
16	Community Resources Coordinator	Unclassified
16	Database Administrator	Unclassified
16	Employee Benefits Coordinator	Unclassified
16	EMS Coordinator	Unclassified
<b>16</b>	<b><u>Environmental Resources Manager</u></b>	<b><u>Unclassified</u></b>
<b>16</b>	<b><u>Film &amp; Event Production Manager</u></b>	<b><u>Unclassified</u></b>
16	Financial Analyst III	Unclassified
16	Human Resources Administrator I	Unclassified
16	Implementation Services Manager	Unclassified
<b>16</b>	<b><u>Landscape Projects Coordinator</u></b>	<b><u>Unclassified</u></b>
16	Log Cabin Program Administrator	Unclassified
16	Mayor / Commissioner Aide	Unclassified
<b>46</b>	Network Administrator	Unclassified
16	Office of Child Development Director	Unclassified
16	Organizational Development & Training Specialist	Unclassified
<b>16</b>	<b><u>Park Facility Manager</u></b>	<b><u>Unclassified</u></b>
16	Parks Superintendent	Unclassified
16	Police Plans & Policies Manager	Unclassified
16	Principal Planner	Unclassified
16	Project Planner/Designer	Unclassified
16	PSCU Administrator	Unclassified
16	Public Information Officer	Unclassified
<b>16</b>	<b><u>Radio Systems Administrator</u></b>	<b><u>Unclassified</u></b>
16	Real Estate Economist	Unclassified
16	Senior Auditor	Unclassified
16	Senior Management Analyst	Unclassified
16	Senior Management & Budget Analyst	Unclassified
<b>16</b>	<b><u>Senior Management Consultant</u></b>	<b><u>Unclassified</u></b>
<b>16</b>	<b><u>Senior Network Administrator</u></b>	<b><u>Unclassified</u></b>
<b>16</b>	<b><u>Senior Systems Administrator</u></b>	<b><u>Unclassified</u></b>
16	Streets & Lighting Superintendent	Unclassified
<b>16</b>	<b><u>Traffic Engineer</u></b>	<b><u>Unclassified</u></b>
16	Transportation Coordinator	Unclassified
<b>16</b>	<b><u>Urban Forester</u></b>	<b><u>Unclassified</u></b>
16	Utility Billing Supervisor	Unclassified
<b>16</b>	<b><u>VOIP Network Administrator</u></b>	<b><u>Unclassified</u></b>

15	Assistant Director - Bass Museum	Unclassified
15	CDBG Projects Coordinator	Unclassified
15	Central Services Coordinator	Unclassified
15	Code Compliance Manager	Unclassified
15	Code Compliance Supervisor	Unclassified
15	Departmental ADA Coordinator	Unclassified
15	Development Coordinator	Unclassified
15	Film & Print Coordinator	Unclassified
15	Financial Analyst II	Unclassified
15	Fire Protection Analyst	Unclassified
15	Grants Writer / Researcher	Unclassified
15	Information Technology Specialist III	Unclassified
15	Inspection Services Coordinator	Unclassified
15	Media Specialist	Unclassified
<b>15</b>	<b>Network Administrator</b>	<b>Unclassified</b>
15	Property / Evidence Supervisor	Unclassified
15	Redevelopment Specialist	Unclassified
15	Right-of-Way Manager	Unclassified
15	Safety Officer	Unclassified
15	Senior Planner	Unclassified
15	Senior Plans Designer	Unclassified
15	Senior Capital Projects Planner	Unclassified
<b>15</b>	<b><u>Senior Systems Analyst</u></b>	<b><u>Unclassified</u></b>
<b>15</b>	<b><u>Senior Telecommunications Specialist</u></b>	<b><u>Unclassified</u></b>
15	Special Events Coordinator	Unclassified
15	Structural Engineer	Unclassified
<b>15</b>	<b><u>Systems Administrator</u></b>	<b><u>Unclassified</u></b>
15	Tourism & Convention Director	Unclassified
14	Assistant City Attorney I	Unclassified
14	CDBG Program Analyst	Unclassified
14	Civil Engineer II	Unclassified
14	Communications Manager	Unclassified
14	Community Development Specialist	Unclassified
14	Construction Manager	Unclassified
14	Cultural Facilities Manager	Unclassified
14	Curator	Unclassified
14	Curator of Collections	Unclassified
14	Curator of Education	Unclassified
14	Entertainment Industry Liaison	Unclassified
14	Environmental Specialist	Unclassified
14	Geographic Information System Analyst	Unclassified
14	Housing Specialist	Unclassified
14	Information Technology Specialist II	Unclassified
14	Landscape Architect	Unclassified

14	Legal Administrator	Unclassified
14	Log Cabin Education Coordinator	Unclassified
<b>14</b>	<b><u>Management Consultant</u></b>	<b><u>Unclassified</u></b>
14	Parking Administration Manager	Unclassified
14	Parking Operations Manager	Unclassified
14	Police Records Manager	Unclassified
14	Records Manager	Unclassified
14	Recreation Supervisor II	Unclassified
14	Sanitation Superintendent	Unclassified
<b>14</b>	<b>Senior Procurement Specialist</b>	Unclassified
<b>14</b>	<b><u>Systems Analyst</u></b>	<b><u>Unclassified</u></b>
<b>14</b>	<b><u>Telecommunications Specialist</u></b>	<b><u>Unclassified</u></b>
14	Social Worker	Unclassified
14	Transportation Engineer	Unclassified
14	Victims Advocate	Unclassified
13	Agenda Coordinator	Unclassified
13	Auditor	Unclassified
13	Executive Office Associate II	Unclassified
13	Financial Analyst I	Unclassified
13	Fleet Analyst	Unclassified
13	Grants Writer / Researcher	Unclassified
<b>13</b>	<b><u>Labor Relations Specialist</u></b>	<b><u>Unclassified</u></b>
13	Management & Budget Analyst	Unclassified
13	Office Manager	Unclassified
13	Human Resources Specialist	Unclassified
13	Planner	Unclassified
<b>13</b>	<b>Procurement Coordinator</b>	Unclassified
13	Public Art Coordinator	Unclassified
13	Public Information Specialist	Unclassified
13	Security Specialist	Unclassified
13	Special Events Liaison	Unclassified
<b>12</b>	<b><u>Bicycle Program Coordinator</u></b>	<b><u>Unclassified</u></b>
12	Building Records Supervisor	Unclassified
12	Civil Engineer I	Unclassified
12	Community Development Technician	Unclassified
12	Executive Office Associate I	Unclassified
12	Field Agent	Unclassified
12	Field Supervisor	Unclassified
12	Homeless Program Coordinator	Unclassified
12	Information Technology Specialist I	Unclassified
12	Labor Relations Technician	Unclassified
12	Legal Secretary	Unclassified
12	Police Financial Assistant	Unclassified
12	Police Public Information Officer	Unclassified

12	Police Records Supervisor	Unclassified
12	Property Management Contracts Coordinator	Unclassified
12	Registrar	Unclassified
42	Senior Procurement Specialist	Unclassified
11	Case Worker	Unclassified
11	Elder Affairs Coordinator	Unclassified
<b>11</b>	<b><u>Grants &amp; Operations Administrator</u></b>	<b><u>Unclassified</u></b>
11	Ice Rink Manager	Unclassified
11	Log Cabin Employment Specialist / Job Coordinator	Unclassified
<b>11</b>	<b><u>Media Assistant</u></b>	<b><u>Unclassified</u></b>
11	Office Associate V	Unclassified
44	Procurement Coordinator	Unclassified
11	Sanitation Coordinator	Unclassified
<b>11</b>	<b><u>Truancy Prevention Program Coordinator</u></b>	<b><u>Unclassified</u></b>
10	Code Violations Clerk	Unclassified
10	Customer Service Liaison	Unclassified
10	Paralegal	Unclassified
<b>9</b>	<b><u>Case Worker II</u></b>	<b><u>Unclassified</u></b>
9	Office Associate IV	Unclassified
9	Field Monitor	Unclassified
8	Graffiti Removal Coordinator	Unclassified
7	Log Cabin Instructor	Unclassified
7	Office Associate III	Unclassified
7	Receptionist	Unclassified
5	Office Associate II	Unclassified
4	Log Cabin Driver / Instructor Aide	Unclassified
3	Office Associate I	Unclassified

**SECTION 2:** That the following new section, entitled, "Market Rate Analysis (MRA)", is added to Unclassified Salary Ordinance No. 1605 as follows:

**MARKET RATE ANALYSIS (MRA).**

For employee positions that require special skills, certifications, or by virtue of market conditions (i.e. Engineers, Information Technology, and Construction positions), the City Manager may approve a Market Rate Analysis (MRA) of up to twenty percent (20%) above the

particular maximum salary range. In determining these MRAs, an analysis will be done to determine the appropriate adjustment with approval by the City Manager. With regard to the Attorneys in the Legal Department, the City Attorney shall be responsible for the MRA analysis, and shall determine the appropriate adjustment of up to twenty percent (20%) above the maximum salary range. Whenever the City Manager or City Attorney implements the adjustment of up to 20% above the maximum pay range, the City Commission will be notified in writing.

**SECTION 2:**      **REPEALER.**

That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 3:**      **SEVERABILITY.**

If any section, subsection, clause, or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

**SECTION 4:**      **CODIFICATION.**

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

**SECTION 5:**      **EFFECTIVE DATE.**

This Ordinance Amendment shall become effective as of the 11<sup>TH</sup> day of January, 2006.

**PASSED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

 1-4-06  
City Attorney      Date



# CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY** given that public hearings will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, January 11, 2006**, to consider the following:

**10:15 a.m.**

An Ordinance Amending Ordinance No. 1605, The Unclassified Employees Salary Ordinance, By Establishing The Classifications Of Bicycle Program Coordinator, Case Worker II, Chief Building Code Compliance Officer, Chief Fire Protection Analyst, Community Information Coordinator, Emergency Management Coordinator, Environmental Resources Manager, Film & Event Production Manager, Grants And Operations Administrator, Labor Relations Director, Labor Relations Specialist, Landscape Projects Coordinator, Management Consultant, Media Assistant, Neighborhood Services Projects Administrator, Park Facility Manager, Radio Systems Administrator, Senior Management Consultant, Senior Network Administrator, Senior Systems Analyst, Senior Systems Administrator, Senior Telecommunications Specialist, Systems Administrator, Systems Analyst, Telecommunications Specialist, Traffic Engineer, Transportation Manager, Truancy Prevention Program Coordinator, Urban Forester, And Voip Network Administrator; Amending The Title And Grade Of The Classification Of Labor Relations Director And Grades Of The Classifications Of Network Administrator, Procurement Coordinator And Senior Procurement Specialist.

Inquiries may be directed to the Human Resources Department at (305) 673-7520.

**10:20 a.m.**

An Ordinance Amending Division 2, Entitled "The Barrier-Free Environment Committee"; Amending Section 2-31 Entitled "Established; Purpose; Composition" By Changing The Committee's Name To "Disability Access Committee".

Inquiries may be directed to the Public Works Department at (305) 673-7080.

**10:25 a.m.**

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 118, "Administration And Review Procedures," Article VI, "Design Review Procedures" By Clarifying The Scope Of Review Of The Design Review Board As It Pertains To Single Family Homes And Townhomes.

Inquiries may be directed to the Planning Department at (305) 673-7550.

**5:01 p.m.**

An Ordinance Amending Chapter 46 Of The City Code, Entitled "Environment," By Amending Article IV, Entitled "Noise," By Amending Section 46-151, Entitled "Definitions," To Provide New Terms And Definitions And Deleting Certain Terms And Definitions; Amending Section 46-152, Entitled "Unreasonably Loud Noise Prohibited," By Amending The Title And Adopting Section 21 - 28 Of The Code Of Miami-Dade County By Reference; Amending Section 46-153, Entitled "Responsibility For Compliance," By Amending The Provisions Thereof; Repealing Section 46-154, Entitled "Noise Level In Specific Area"; Repealing Section 46-155, Entitled "Additional Sound Limitations For Public Property"; Amending Section 46-156, Entitled "Temporary Permits," By Expanding The Prohibited Areas For Construction Noise To Within 300 Feet Of Certain Districts And Amending The Exemptions For Special Events And Film Permits; Amending Section 46-157, Entitled "Exemptions," And By Deleting Subsection (11) And Amending The Provisions Thereof; Amending Section 46-158, Entitled "Enforcement By Code Inspectors; Notice Of Violation," By Amending The Procedures For Enforcement And Warnings; Amending Section 46-159, Entitled "Civil Fines For Violation; Appeals," By Amending The Fines And Penalties For Violations, The Appeal Procedures, And The Alternate Means Of Enforcement; Amending And Renumbering Section 46-160, Entitled "Nuisance," As Section 46-161, And Renaming Section 46-160 As "Relief From Violations For Sound Systems And Compliance" And Creating Provisions Therefore; Amending And Renumbering Section 46-161, Entitled "Motor Vehicle Alarms" As Section 46-162 Which Is Hereby Created.

Inquiries may be directed to the City Manager's Office at (305) 673-7010.

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. Copies of these ordinances are available for public inspection during normal business hours in the City Clerk's Office, 1700 Convention Center Drive, 1st Floor, City Hall, and Miami Beach, Florida 33139. This meeting may be continued and under such circumstances additional legal notice would not be provided.

Robert E. Parcher, City Clerk  
City of Miami Beach

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact (305) 604-2489 (voice), (305) 673-7218 (TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

Ad #349

**Condensed Title:**

An Ordinance of the Mayor and City Commission of the City of Miami Beach, Florida, Amending Division 2, Entitled "The Barrier-Free Environment Committee"; Amending Section 2-31 Entitled "Established; Purpose; Composition" by Changing the Committee's Name to "Disability Access Committee."

**Key Intended Outcome Supported:**

Increase community satisfaction with City services.

**Issue:**

Shall the Commission adopt the ordinance?

**Item Summary/Recommendation:**


The Barrier-Free Environment Committee believes that the vagueness of its name contributes to membership recruitment problems. Residents and business owners who might otherwise wish to be appointed to the Committee do not complete applications for appointment because they do not know what the Committee's mission is. This recruitment issue is of special importance to the Committee because it currently has two open positions and, due to the term limitation of a current member, will have a third on January 1, 2006. Also, the Committee believes that its current ambiguous name is an impediment to attracting members of the general public to its meetings. One of the Committee's functions is to serve as a forum for the local disabled community, a resource which provides invaluable input to the City. This input helps the City to formulate policies and programs of benefit to residents and visitors with disabilities. On December 7, 2005 this item was approved on first reading and a second reading was scheduled.

The Administration recommends adopting the Ordinance.

**Advisory Board Recommendation:**

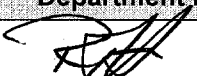

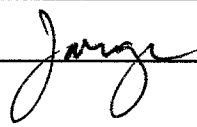
The BFEC is recommends adopting the Ordinance.

**Financial Information:**

Source of Funds:		Amount	Account	Approved
<div style="border: 1px solid black; width: 50px; height: 50px; display: flex; align-items: center; justify-content: center;">  </div> OBPI	1			
	2			
	3			
	4			
	Total			

**Financial Impact Summary:**

**City Clerk's Office Legislative Tracking:****Sign-Offs:**

Department Director	Assistant City Manager	City Manager
		

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MIAMI BEACH

AGENDA ITEM RSB  
DATE 1-11-06



# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: City Manager Jorge M. Gonzalez

DATE: January 11, 2006

**SECOND READING  
PUBLIC HEARING**

SUBJECT: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING DIVISION 2, ENTITLED "THE BARRIER-FREE ENVIRONMENT COMMITTEE"; AMENDING SECTION 2-31 ENTITLED "ESTABLISHED; PURPOSE; COMPOSITION" BY CHANGING THE COMMITTEE'S NAME TO "DISABILITY ACCESS COMMITTEE."**

### ADMINISTRATION RECOMMENDATION

Adopt the Ordinance.

### ANALYSIS

At its September 26, 2005 meeting, the Barrier-Free Environment Committee approved a resolution to change the Committee's name to the "Disability Access Committee." The Committee believes that its current name is too vague and general. This has resulted in negative consequences as described below.

The Committee believes that the vagueness of its name contributes to membership recruitment problems. Residents and business owners who might otherwise wish to be appointed to the Committee do not complete applications for appointment because they do not know what the Committee's mission is. This recruitment issue is of special importance to the Committee because it currently has two open positions and, due to the term limitation of a current member, will have a third on January 1, 2006. A lack of an adequate pool of candidates for appointment will likely prolong the current membership deficit. This means that the Committee will have to operate without the benefits of the knowledge and experience of a full membership.

The Committee believes that its current ambiguous name is an impediment to attracting members of the general public to its meetings. One of the Committee's functions is to serve as a forum for the local disabled community, a resource which provides invaluable input to the City. This input helps the City to formulate policies and programs of benefit to residents and visitors with disabilities. Without the benefit of this input, one of the Committee's functions cannot be fully realized. On December 7, 2005 this item was approved on first reading, and second reading scheduled.

JMG/RCM/FHB/RTH

T:\AGENDA\2006\jan1106\consent\BFEC name change memo.doc

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING MIAMI BEACH CITY CODE CHAPTER 2, ARTICLE III, DIVISION 2, ENTITLED: "THE BARRIER-FREE ENVIRONMENT COMMITTEE", SECTION 2-31 THEREOF SO AS TO CHANGE THE NAME OF THE COMMITTEE FROM "BARRIER-FREE ENVIRONMENT COMMITTEE" TO "DISABILITY ACCESS COMMITTEE"; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, at its September 26, 2005, the Barrier-Free Environment Committee approved a resolution to change the Committee's name to the "Disability Access Committee" because the Committee believes that its current name is too vague and general, resulting in negative consequences; and

**WHEREAS**, these negative consequences include membership recruitment problems, because residents and business owners who might otherwise wish to be appointed to the Committee do not complete applications for appointment because they do not know what the Committee's mission is; and

**WHEREAS**, these negative consequences also include difficulty in attracting members of the general public to the Committee's meetings, and input from the local community helps the City to formulate policies and programs of benefit to residents and visitors with disabilities, and without the benefit of this input, one of the Committee's functions cannot be fully realized.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA** that Miami Beach Code Chapter 2, Article III, Division 2, entitled "Barrier-Free Environment Committee", Section 2-31 thereof, is hereby amended to read as follows:

**DIVISION 2. ~~BARRIER-FREE ENVIRONMENT~~ DISABILITY ACCESS COMMITTEE**

Sec. 2-31. Established; purpose; composition.

(a) *Established.* There is hereby established the ~~barrier-free environment~~ disability access committee, whose purposes, power and duties, composition, membership qualification and general governing regulations are as set forth in this section.

(b) *Purpose.* The purpose of this committee is to review, formulate and coordinate information, suggestions, proposals and plans and to address complaints from the general public to provide more conveniently accessible facilities, public buildings, streets, sidewalks

and programs for the persons with disabilities in the city. The committee, in the context of this transition plan, is consulted with in terms of prioritization of accessibility-related improvements to city facilities. The priorities are in terms of both the order of which facilities to modify, and also the particular improvements to each respective facility. The committee may provide accessibility-related input to the following departments: building services, recreation, culture and parks, police and code compliance.

(c) *Powers and duties.* See subsection (b) of this section.

(d) *Composition.* The ~~barrier-free environment~~ disability access committee shall be composed of seven voting members who shall be direct appointees by the mayor and city commissioners. A quorum shall consist of three members. Formal action of the board shall require at least three votes. Consideration shall be given, but not limited to, the following categories: persons having mobility impairment; deaf and/or hard-of-hearing persons in the community; blind and/or vision-impaired persons in the community; mental, cognitive or developmental disabilities; and the industries of tourism and convention, retail, hospitality (restaurant or hotel), and health care (or rehabilitation). The city attorney's office shall provide legal counsel.

(e) *Knowledge and experience.* All appointments shall be made on the basis of civic pride, integrity, experience and interest in the needs of persons with disabilities. Consideration shall be given but not limited to recommendations solicited by the city commission from associations to be specified by the ~~barrier-free environment~~ disability access committee at a later date.

(f) *Supporting department.* The supporting department of the committee is public works.

## **SECTION 2. REPEALER**

All ordinances or parts of ordinances in conflict herewith be the same are hereby repealed.

## **SECTION 3. SEVERABILITY**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity or constitutionality of the remaining portions of this ordinance.

## **SECTION 4. CODIFICATION**

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be

changed to "section", "article" or other appropriate word.

**SECTION 5. EFFECTIVE DATE**

This Ordinance shall take effect the \_\_\_\_\_ day of \_\_\_\_\_, 2006.

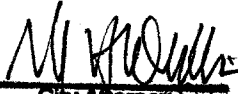
**PASSED and ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2006.


\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

  
\_\_\_\_\_  
City Attorney

  
\_\_\_\_\_  
Date

## CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY** given that public hearings will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, January 11, 2006**, to consider the following:

**10:15 a.m.**

An Ordinance Amending Ordinance No. 1605, The Unclassified Employees Salary Ordinance, By Establishing The Classifications Of Bicycle Program Coordinator, Case Worker II, Chief Building Code Compliance Officer, Chief Fire Protection Analyst, Community Information Coordinator, Emergency Management Coordinator, Environmental Resources Manager, Film & Event Production Manager, Grants And Operations Administrator, Labor Relations Director, Labor Relations Specialist, Landscape Projects Coordinator, Management Consultant, Media Assistant, Neighborhood Services Projects Administrator, Park Facility Manager, Radio Systems Administrator, Senior Management Consultant, Senior Network Administrator, Senior Systems Analyst, Senior Systems Administrator, Senior Telecommunications Specialist, Systems Administrator, Systems Analyst, Telecommunications Specialist, Traffic Engineer, Transportation Manager, Truancy Prevention Program Coordinator, Urban Forester, And Voip Network Administrator; Amending The Title And Grade Of The Classification Of Labor Relations Director And Grades Of The Classifications Of Network Administrator, Procurement Coordinator And Senior Procurement Specialist.

Inquiries may be directed to the Human Resources Department at (305) 673-7520.

**10:20 a.m.**

An Ordinance Amending Division 2, Entitled "The Barrier-Free Environment Committee"; Amending Section 2-31 Entitled "Established; Purpose; Composition" By Changing The Committee's Name To "Disability Access Committee".

Inquiries may be directed to the Public Works Department at (305) 673-7080.

**10:25 a.m.**

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 118, "Administration And Review Procedures," Article VI, "Design Review Procedures" By Clarifying The Scope Of Review Of The Design Review Board As It Pertains To Single Family Homes And Townhomes.

Inquiries may be directed to the Planning Department at (305) 673-7550.

**5:01 p.m.**

An Ordinance Amending Chapter 46 Of The City Code, Entitled "Environment," By Amending Article IV, Entitled "Noise," By Amending Section 46-151, Entitled "Definitions," To Provide New Terms And Definitions And Deleting Certain Terms And Definitions; Amending Section 46-152, Entitled "Unreasonably Loud Noise Prohibited," By Amending The Title And Adopting Section 21 - 28 Of The Code Of Miami-Dade County By Reference; Amending Section 46-153, Entitled "Responsibility For Compliance," By Amending The Provisions Thereof; Repealing Section 46-154, Entitled "Noise Level In Specific Area"; Repealing Section 46-155, Entitled "Additional Sound Limitations For Public Property"; Amending Section 46-156, Entitled "Temporary Permits," By Expanding The Prohibited Areas For Construction Noise To Within 300 Feet Of Certain Districts And Amending The Exemptions For Special Events And Film Permits; Amending Section 46-157, Entitled "Exemptions," And By Deleting Subsection (11) And Amending The Provisions Thereof; Amending Section 46-158, Entitled "Enforcement By Code Inspectors; Notice Of Violation," By Amending The Procedures For Enforcement And Warnings; Amending Section 46-159, Entitled "Civil Fines For Violation; Appeals," By Amending The Fines And Penalties For Violations, The Appeal Procedures, And The Alternate Means Of Enforcement; Amending And Renumbering Section 46-160, Entitled "Nuisance," As Section 46-161, And Renaming Section 46-160 As "Relief From Violations For Sound Systems And Compliance" And Creating Provisions Therefore; Amending And Renumbering Section 46-161, Entitled "Motor Vehicle Alarms" As Section 46-162 Which Is Hereby Created.

Inquiries may be directed to the City Manager's Office at (305) 673-7010.

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. Copies of these ordinances are available for public inspection during normal business hours in the City Clerk's Office, 1700 Convention Center Drive, 1st Floor, City Hall, and Miami Beach, Florida 33139. This meeting may be continued and under such circumstances additional legal notice would not be provided.

Robert E. Parcher, City Clerk  
City of Miami Beach

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact (305) 604-2489 (voice), (305) 673-7218 (TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

Ad #349

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**Condensed Title:**

Ordinance Amendment Pertaining to the Scope and Exemptions of the Design Review Board.

**Key Intended Outcome Supported:**

Increase satisfaction with Neighborhood Character

**Issue:**

The confirmation of DRB review authority as it pertains to townhome developments and single family homes located in single family districts.

**Item Summary/Recommendation:**

The subject ordinance affirm that townhome developments are subject to DRB review and that single family homes located in single family districts are not subject to DRB review.

On December 7, 2005, the subject Ordinance was approved on First Reading. The Administration recommends that the Ordinance be adopted on Second Reading.

**Advisory Board Recommendation:**

The Planning Board reviewed the subject Ordinance on November 22, 2005 and transmitted it to the City Commission with a favorable recommendation.

**Financial Information:**

Source of Funds:		Amount	Account	Approved
<div style="border: 1px solid black; width: 80px; height: 40px; margin-bottom: 5px;"></div> OBPI	1			
	2			
	3			
	4			
	Total			

**Financial Impact Summary:**  
The proposed Ordinance is not expected to have any fiscal impact.

**City Clerk's Office Legislative Tracking:**

Jorge Gomez or Tom Mooney

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
	<i>MB</i>	<i>Jorge</i>





# MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: City Manager Jorge M. Gonzalez

DATE: January 11, 2006

**SECOND READING  
PUBLIC HEARING**

SUBJECT: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE VI, "DESIGN REVIEW PROCEDURES" BY CLARIFYING THE SCOPE OF REVIEW OF THE DESIGN REVIEW BOARD AS IT PERTAINS TO SINGLE FAMILY HOMES AND TOWNHOMES; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.**

### **ADMINISTRATION RECOMMENDATION**

Adopt the Ordinance.

### **ANALYSIS**

The proposed Ordinance amendment clarifies two (2) separate provisions pertaining to the applicability and exemptions of the Design Review Board (DRB). First, the subject Ordinance clarifies that the DRB scope of review includes townhomes and townhouse developments.

Secondly, the Ordinance confirms that single-family detached dwellings within single family zoning districts are exempt from the design review regulations and do not require the review of the DRB. This change makes it clear that single family homes in multi-family and townhome districts are subject to the review of the DRB.

These modifications add clarity to the Design Review section of the Land Development Regulations and will assist individuals who are reading the code for the first time in order to ascertain specific development rights and regulations.

The Planning Board reviewed the subject Ordinance on November 22, 2005 and transmitted it to the City Commission with a favorable recommendation. On December 7, 2005 the City Commission approved the subject Ordinance on First Reading.

### **FISCAL IMPACT**

The proposed Ordinance is not expected to have any fiscal impact.

**CONCLUSION**

The Administration recommends that the City Commission approve the proposed Ordinance.

Pursuant to Section 118-164(4) of the City Code, an affirmative vote of five-sevenths shall be necessary in order to enact any amendments to the Land Development Regulations.

JMG/TH/JGG/TRM

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## ***DRB Scope and Exemptions***

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE VI, "DESIGN REVIEW PROCEDURES" BY CLARIFYING THE SCOPE OF REVIEW OF THE DESIGN REVIEW BOARD AS IT PERTAINS TO SINGLE FAMILY HOMES AND TOWNHOMES; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Miami Beach (City) places a strong emphasis on the promotion of appropriate urban design throughout the City; and

**WHEREAS**, the Mayor and City Commission have deemed it in the best interest and welfare of the City to administer procedures for the review of all multi-family and townhome projects located outside of a designated historic district; and

**WHEREAS**, the Mayor and City Commission deem it appropriate to protect the significant architectural history, existing building scale, and unique character of the multi-family residential and townhome neighborhoods in Miami Beach; and

**WHEREAS**, the amendments set forth below are necessary to accomplish all of the above objectives.

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA.**

**SECTION 1.** That Chapter 118, "Administration and Review Procedures," Article VI, "Design Review Procedures" of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended by amending section 118-252 as follows:

Sec. 118-252. Applicability and exemptions.

(a) Applicability.

(1) All building permits for new construction, public interior areas, interior areas that face a street or sidewalk, demolitions and wrecking, alterations, or additions to existing buildings, including fences, parking lots, walls and signs, whether new or change of copy, and exterior surface finishes and materials, shall be subject to review under the design review procedures except as provided in subsection (b) of this section. No building permit shall be issued without the written approval by the design review board or staff as provided for in these regulations.

(2) All public improvements upon public rights-of-way and easements. For purposes hereof, public improvements shall include, but not be limited to, structures, streetscape

projects, street improvements or redesign, modifications to street lighting or signage, landscaping projects, medians, and above ground utilities; however, public improvements shall exclude routine maintenance and utility repair work.

(3) The review and approval of all new single family home construction, in accordance with subsection 142-108. 142-105(d)(7).

(4) The review and approval of all new townhomes and townhouse developments, in accordance with the procedures of this Article.

(b) Exemptions. Exemptions to these regulations include all of the following provided no new construction or additions to existing buildings are required:

(1) All permits for plumbing, heating, air conditioning, elevators, fire alarms and extinguishing equipment, and all other mechanical and electrical equipment when such work is entirely within the interior of the building, excluding public interior areas and interior areas that face a street or sidewalk; however, the planning director may approve such building permit applications for minor work on the exterior of buildings.

(2) Any permit necessary for the compliance with a lawful order of the building official, fire marshal or public works director related to the immediate public health or safety.

(3) All single-family detached dwellings within single family zoning districts are exempt from the design review regulations, with the exception of exterior surface color samples and finishes, and the review and approval of all new single family home construction in accordance with subsection 142-108. 142-105(d)(7). However, all building permits for new construction, alterations or additions to existing structures shall be subject to compliance with section 142-105, and all demolition permits must be signed by the planning director, or designee.

(4) All properties located within designated historic districts and designated historic sites.

## **SECTION 2. CODIFICATION.**

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

## **SECTION 3. REPEALER.**

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

## **SECTION 4. SEVERABILITY.**

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

**SECTION 5. EFFECTIVE DATE.**

This Ordinance shall take effect ten days following adoption.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney

12-28-05  
Date

First Reading: December 7, 2005  
Second Reading: January 11, 2006

Verified by: \_\_\_\_\_  
Jorge G. Gomez, AICP  
Planning Director

Underscore denotes new language  
~~Strikethrough~~ denotes deleted language

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12/28/2005

# CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY** given that public hearings will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, January 11, 2006**, to consider the following:

## 10:15 a.m.

An Ordinance Amending Ordinance No. 1605, The Unclassified Employees Salary Ordinance, By Establishing The Classifications Of Bicycle Program Coordinator, Case Worker II, Chief Building Code Compliance Officer, Chief Fire Protection Analyst, Community Information Coordinator, Emergency Management Coordinator, Environmental Resources Manager, Film & Event Production Manager, Grants And Operations Administrator, Labor Relations Director, Labor Relations Specialist, Landscape Projects Coordinator, Management Consultant, Media Assistant, Neighborhood Services Projects Administrator, Park Facility Manager, Radio Systems Administrator, Senior Management Consultant, Senior Network Administrator, Senior Systems Analyst, Senior Systems Administrator, Senior Telecommunications Specialist, Systems Administrator, Systems Analyst, Telecommunications Specialist, Traffic Engineer, Transportation Manager, Truancy Prevention Program Coordinator, Urban Forester, And Voip Network Administrator; Amending The Title And Grade Of The Classification Of Labor Relations Director And Grades Of The Classifications Of Network Administrator, Procurement Coordinator And Senior Procurement Specialist.

Inquiries may be directed to the Human Resources Department at (305) 673-7520.

## 10:20 a.m.

An Ordinance Amending Division 2, Entitled "The Barrier-Free Environment Committee"; Amending Section 2-31 Entitled "Established; Purpose; Composition" By Changing The Committee's Name To "Disability Access Committee".

Inquiries may be directed to the Public Works Department at (305) 673-7080.



## 10:25 a.m.

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 118, "Administration And Review Procedures," Article VI, "Design Review Procedures" By Clarifying The Scope Of Review Of The Design Review Board As It Pertains To Single Family Homes And Townhomes.

Inquiries may be directed to the Planning Department at (305) 673-7550.

## 5:01 p.m.

An Ordinance Amending Chapter 46 Of The City Code, Entitled "Environment," By Amending Article IV, Entitled "Noise," By Amending Section 46-151, Entitled "Definitions," To Provide New Terms And Definitions And Deleting Certain Terms And Definitions; Amending Section 46-152, Entitled "Unreasonably Loud Noise Prohibited," By Amending The Title And Adopting Section 21 - 28 Of The Code Of Miami-Dade County By Reference; Amending Section 46-153, Entitled "Responsibility For Compliance," By Amending The Provisions Thereof; Repealing Section 46-154, Entitled "Noise Level In Specific Area"; Repealing Section 46-155, Entitled "Additional Sound Limitations For Public Property"; Amending Section 46-156, Entitled "Temporary Permits," By Expanding The Prohibited Areas For Construction Noise To Within 300 Feet Of Certain Districts And Amending The Exemptions For Special Events And Film Permits; Amending Section 46-157, Entitled "Exemptions," And By Deleting Subsection (11) And Amending The Provisions Thereof; Amending Section 46-158, Entitled "Enforcement By Code Inspectors; Notice Of Violation," By Amending The Procedures For Enforcement And Warnings; Amending Section 46-159, Entitled "Civil Fines For Violation; Appeals," By Amending The Fines And Penalties For Violations, The Appeal Procedures, And The Alternate Means Of Enforcement; Amending And Renumbering Section 46-160, Entitled "Nuisance," As Section 46-161, And Renaming Section 46-160 As "Relief From Violations For Sound Systems And Compliance" And Creating Provisions Therefore; Amending And Renumbering Section 46-161, Entitled "Motor Vehicle Alarms" As Section 46-162 Which Is Hereby Created.

Inquiries may be directed to the City Manager's Office at (305) 673-7010.

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. Copies of these ordinances are available for public inspection during normal business hours in the City Clerk's Office, 1700 Convention Center Drive, 1st Floor, City Hall, and Miami Beach, Florida 33139. This meeting may be continued and under such circumstances additional legal notice would not be provided.

Robert E. Parcher, City Clerk  
City of Miami Beach

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact (305) 604-2489 (voice), (305)673-7218(TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

Ad #349

**Condensed Title:**

An Ordinance amending the City Code to adopt a Noise Ordinance.

**Key Intended Outcome Supported:**

Increase resident satisfaction with level of code enforcement.

**Issue:**

Shall the City Commission approve a Noise Ordinance on Second Reading and what shall be included for: 1) oral warning discretion, 2) noise engineer provisions, 3) defined exemption area for noise to the east of properties bordering the Atlantic Ocean.

**Item Summary/Recommendation:**

The draft Noise Ordinance as presented represents a substantial effort to provide a fair and effective mechanism to regulate noise within the City of Miami Beach. The core of the Ordinance, Miami-Dade County Code Section 21-28, is a constitutionally valid basis for noise enforcement that is both flexible and tested, in that it has been used in the City of Miami Beach with good affect for approximately the last five years. With the addition of the Commission directed changes to key areas of dispute among the stakeholders, the document as represented does constitute an Ordinance which is believed to be an effective deterrent for violations and within the capability of the City Administration to implement and enforce.

It is suggested and a part of the recommended motion that upon approval of a version of the Noise Ordinance by the City Commission, that the City Administration monitor and report back in one year to both the City Commission and key stakeholders on the effectiveness of enforcement and the true deterrence that the Noise Ordinance has been able to accomplish for noise generation within our community.

**Advisory Board Recommendation:**

N/A

**Financial Information:**


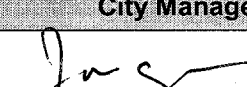
Source of Funds:		Amount	Account	Approved
	1			
	2			
OBPI	Total			

**Financial Impact Summary:**

**City Clerk's Office Legislative Tracking:**

Robert C. Middaugh

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
		

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MIAMIBEACH

AGENDA ITEM RSD  
DATE 1-11-06





# MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: January 11, 2006

SUBJECT: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CITY CODE, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE IV, ENTITLED "NOISE," BY AMENDING SECTION 46-151, ENTITLED "DEFINITIONS," TO PROVIDE NEW TERMS AND DEFINITIONS AND DELETING CERTAIN TERMS AND DEFINITIONS; AMENDING SECTION 46-152, ENTITLED "UNREASONABLY LOUD NOISE PROHIBITED," BY AMENDING THE TITLE AND ADOPTING SECTION 21-28 OF THE CODE OF MIAMI-DADE COUNTY BY REFERENCE; AMENDING SECTION 46-153, ENTITLED "RESPONSIBILITY FOR COMPLIANCE," BY AMENDING THE PROVISIONS THEREOF; REPEALING SECTION 46-154, ENTITLED "NOISE LEVEL IN SPECIFIC AREA"; REPEALING SECTION 46-155, ENTITLED "ADDITIONAL SOUND LIMITATIONS FOR PUBLIC PROPERTY"; AMENDING SECTION 46-156, ENTITLED "TEMPORARY PERMITS," BY EXPANDING THE PROHIBITED AREAS FOR CONSTRUCTION NOISE TO WITHIN 300 FEET OF CERTAIN DISTRICTS AND AMENDING THE EXEMPTIONS FOR SPECIAL EVENTS AND FILM PERMITS; AMENDING SECTION 46-157, ENTITLED "EXEMPTIONS," AND BY DELETING SUBSECTION (11) AND AMENDING THE PROVISIONS THEREOF; AMENDING SECTION 46-158, ENTITLED "ENFORCEMENT BY CODE INSPECTORS; NOTICE OF VIOLATION," BY AMENDING THE PROCEDURES FOR ENFORCEMENT AND WARNINGS; AMENDING SECTION 46-159, ENTITLED "CIVIL FINES FOR VIOLATION; APPEALS," BY AMENDING THE FINES AND PENALTIES FOR VIOLATIONS, THE APPEAL PROCEDURES, AND THE ALTERNATE MEANS OF ENFORCEMENT; AMENDING AND RENUMBERING SECTION 46-160, ENTITLED "NUISANCE," AS SECTION 46-161, AND RENAMING SECTION 46-160 AS "RELIEF FROM VIOLATIONS FOR SOUND SYSTEMS AND COMPLIANCE" AND CREATING PROVISIONS THEREFOR; AMENDING AND RENUMBERING SECTION 46-161, ENTITLED "MOTOR VEHICLE ALARMS," AS SECTION 46-162 WHICH IS HEREBY CREATED; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.**

### ADMINISTRATION RECOMMENDATION

Adopt the Ordinance on Second Reading and direct that one (1) year after final adoption and passage of the Ordinance that the Administration present a report to the City Commission and interested stakeholders on the enforcement impact and effectiveness of the subject Ordinance and, further, that the Administration continue

its ongoing efforts to implement an improved tracking system for enforcement activities associated with this Ordinance.

### **Noise Ordinance Features**

A number of significant elements are addressed in the attached draft Ordinance relative to noise. The underlying basis for the Ordinance was the City's existing Chapter 46 Noise Ordinance that has not been used by the City of Miami Beach for at least the last five years.

Historically, the City of Miami Beach stopped using the provisions of the City's Noise Ordinance contained in Chapter 46 and began using and enforcing Miami-Dade County Section 21-28 in response to concerns raised by the City's Legal Department. Even though the City Attorney's Office noted that there might be problems associated with use of Miami-Dade County 21-28, the County Code section represented an available and in place alternate enforcement tool that, together with County support, provided a more effective vehicle for the City's enforcement efforts.

The attached draft Ordinance adopts Miami-Dade County Section 21-28 in its entirety and places it into the City Code of Laws. While it may not be technically necessary to have the City Commission formally adopt 21-28 into the Code of Laws, such action does eliminate a possible challenge as the City proceeds with enforcement activities into the future. In earlier litigations relative to noise enforcement, this question was raised by opposing counsel even though it was never pursued as a litigated issue.

Significant features of the draft Ordinance as presented are as follows:

- The attached Ordinance repeals the conflicting or unenforceable portions of the existing Chapter 46 Noise Ordinance of the City of Miami Beach and adopts by reference Miami-Dade County Code Section 21-28 as the City's official Noise Ordinance. For ease of citizen, business and Code Compliance use, the specific provisions of 21-28 while adopted by reference are included within the codified Noise Ordinance so that it is easily found and referenced by interested parties.
- The draft Ordinance as presented, substantially changes the current adjudication process for Noise violations within the City's Special Master system to the following practice:
  - a) Upon the issuance of a violation, the violator must choose to pay the prescribed fine or penalty established in the Noise Ordinance or appeal the violation for a hearing by the Special Master.
  - b) The violator's appeal must be made within a ten (10) day period from the time of issuance of the violation. The violator who chooses not to appeal the violation pays the prescribed penalty and the matter/violation is concluded at that point in time.

- c) Procedurally, the Special Master will hear the merits of the appeal and rule affirmatively that either a violation has or has not occurred and, if the violation has occurred, the prescribed penalty as stipulated in the Ordinance shall be paid. The Special Master will not have the ability to provide alternate penalties.
- The draft Noise Ordinance provides for a clearly established escalating penalty system with each of the fines and penalties detailed in the Ordinance. As the Special Master does not have latitude to alter the penalties, any interested party knows in advance the amount of fine that is associated with the violation that is under consideration at that point in time.
- The draft Noise Ordinance establishes a system of warnings to violators of the Ordinance as a first effort to achieve compliance, as the goal of the Ordinance is compliance.
- The Noise Ordinance as presented provides for a specific recognition and coordination with established Special Event and Film and Print Permits. The respective permits will allow for defined exemptions from the provisions of the Noise Ordinance; however, the permits require a specific community involved process to be followed so that appropriate mitigation and or limitation on any exceptions are both understood and accepted as part of that process.
- The draft Ordinance as presented contains a definition for what constitutes a habitual offender of the Noise Ordinance. As presented, a person becomes a habitual offender after having received and been found guilty of more than five (5) violations of the Noise Ordinance. Persons who are found to be habitual offenders are then specifically subjected to both the due process and hearing provisions associated with suspensions and or revocations of Occupational Licenses and Certificates of Use currently defined in City Code Section 102-383 (Occupational Licenses).
- One of the very significant features that is embraced in the proposed Noise Ordinance is found within the provisions of the fine and penalty section and specifically associated with fourth or fifth offenses of the Noise Ordinance. The Noise Ordinance as presented, while always seeking to achieve compliance as its goal, specifically targets the source of noise at given premise for which a violation has occurred. The reference in the proposed Ordinance is to the production of any live or amplified sound at that portion of the premise which has caused the violation. The significance of this provision is that it clearly targets compliance by limiting the specific offending source of noise as opposed to the entire business that may be impacted. In application this would impact a business guilty of a noise violation on a very targeted and limited basis. In the event a business had a restaurant or other operations that were being conducted on a premise that received a violation, but was not the source of the noise producing violation, only the sound producing element of the business would be targeted or limited for compliance. Other aspects of the business, such as a restaurant or any

other such uses not responsible for the noise production, could continue unimpeded. The entire premise or business operation would not be restricted going forward. Targeting the source of noise and not necessarily the entire business activity also clearly has significance for hotels. In hotels the principle property uses are related to the provision of rooms to visitors, while noise producing activities are typically pool deck, restaurant or lounge oriented accessory uses of the main hotel use. This provision is unique to the ongoing noise enforcement and is equally enforced and enforceable on all business entities in the community, and fairly targets only those activities which are producing noise that violates the Noise Ordinance.

### **Commission Directed Ordinance Changes at First Reading**

At the December 7, 2005 City Commission meeting, the Mayor and City Commission approved the attached Noise Ordinance on First Reading after amending the document in several key areas. The specific amendments and language changes directed by the City Commission are as follows:

- **Eastern Exemption from Noise**

In preparing the Ordinance for Second Reading by the Commission, the City Attorney's office has advised that, the Ordinance be prepared to provide that any property with an exposure to the Atlantic Ocean and no intervening building have the benefit of the noise exemption. The Ordinance language has been drafted to limit the area of exemption only to east of a property adjacent to and facing the Atlantic Ocean and any noise that is excessive to the north or south of a property is subject to enforcement actions. The language attempts to equally apply as narrowly tailored as possible the area of noise exemption to similar properties in the City.

Subsection (11) has been added to Section 46-157. Exemptions. to provide for the eastern exemption area. The language provides for an exception for live or amplified sound that is projected east of certain identified properties where there is no intervening building. All properties on the east side of Ocean Drive from 1<sup>st</sup> Street to 5<sup>th</sup> Street, properties on the west side of Ocean Drive from 5<sup>th</sup> Street to 15<sup>th</sup> Street, properties on the east side of Collins Avenue from 15<sup>th</sup> Street to 73<sup>rd</sup> Street, properties on the west side of Ocean Terrace from 73<sup>rd</sup> Street to 75<sup>th</sup> Street and properties on the east side of Collins Avenue from 75<sup>th</sup> Street to 87<sup>th</sup> Street are included in the exemption area.

The noise exemption is for an area that is east of the identified properties. The area of exemption is that area between the extension of the north and south property boundaries of the subject property. Noise generated by the identified properties into this defined area is exempt when there is no intervening building. Properties that generate noise that are outside the area of exemption and is at levels in excess of that defined in the City Noise Ordinance are subject to enforcement of the respective Noise Ordinance provisions.

In the event that the Commission would like to use a more specifically defined area of exemption, there will need to be a rational basis that is provided in the record to substantiate any definition or distinctions made.

- Full Use of Warnings

Section 46-158 (b) has been amended in the last paragraph to delete a reference that prohibited warnings to be issued after the issuance of a violation. The deletion of this language will now allow a property to be issued a warning, then a violation and have the opportunity to use warnings again if they are still available to the subject property. This language change allows for properties to make full use of all available warnings even if a violation has been written at some time during a year.

- Complaints

This area of discussion was the most complex of the areas discussed by the City Commission and one in which there is likely to be some continued confusion. During the discussion of the complaint concept, the legal authority of the Commission to delegate and codify certain practices was discussed. An impression was clearly left with many present that the Commission's power to recognize or to codify complaint practices was constrained. The current practice as well as the desired practice was also discussed, which may have contributed to the confusion.

The City Commission motion on this amendment was to "give direction to the Administration that if the noise is not complaint driven, then give direction to the Code Inspectors to issue a courtesy oral warning and if they comply with the oral warning there is no warning and no violation. If they do not comply, then the written warning/violation process begins."

In drafting language for this amendment, two legally permissible approaches with quite different outcomes are possible. Code Inspectors could either be *required* to issue an oral warning when no complaint has been made about a noise violation or they could be given the *discretion* to issue an oral warning when there is no complaint.

Of the two scenarios for dealing with violations when there is no complaint, providing Code Inspectors with discretion seemed to be closest to the desired Commission outcome. If a Code Inspector is required to give an oral warning when there is no complaint, they would be obligated to give the oral warning each time they responded to a property and when there is compliance on receiving the oral warning. With a mandatory oral warning, the frequency of warnings could literally exceed 365 per year as one could be received each day and it is possible to receive more than one oral warning per day. This frequency of oral warning did not seem to be intended by the Commission and is inconsistent with other Commission requested changes that limited the number of warnings available.

To implement the Commission directed amendment in this area, Section 46-158 (a) has been amended to add language that requires upon receipt of a complaint and the observance of a violation of the Noise Ordinance, a Code Inspector shall issue either a violation or warning as is appropriate. Section 158 has also been amended to add language in (b) that if a Code Inspector observes a violation of the Noise Ordinance without first having received a complaint, the Inspector may issue an oral courtesy warning rather than a written warning or a violation notice. The language change allows the Code Inspector to retain the discretion to issue an oral warning for those instances in which a complaint has not been received. These courtesy warnings when a complaint has not been received are not limited in number.

The Ordinance language that allows a Code Inspector to issue an oral warning when there is no complaint is less restrictive than the original proposal. In the first version of the Ordinance, a Code Inspector observing a violation was obligated, with or without a complaint, to issue either a written warning or a violation. The revised language on complaints codifies the current practice of allowing an oral warning to be issued while not incurring negative consequences associated with the requirement of an oral warning. Allowing Code Inspectors to retain the discretion to issue an oral warning when there is no complaint also allows the Code Inspector to recognize repeat or excessive users of oral warnings.

- Warnings

Section 46-158 (b) Warnings has been amended to delete the language which originally had provided for six (6) warnings before 11:00 p.m. on any day in a year. The language which remains is six (6) warnings at any time of the day in one (1) year, in addition to those warnings associated with music oriented Major Event periods designated annually by the City Manager.

- Noise Engineer

Section 46-160, "relief from violations for sound system review and compliance," has been deleted in its entirety. The Ordinance which reflects the deletion of this Section is shown as Alternate Ordinance A, noise engineer provisions deleted. An Ordinance that retains this provision has been included as Alternate Ordinance B, noise engineer provisions retained, and advertised in the event that the City Commission wished to consider an amended version of this Section for inclusion in a final Second Reading. Based on several comments by City Commissioners during the First Reading consideration, this option has been provided if it is of interest to the Commission for inclusion. By advertising the full title with this provision included, the opportunity is preserved for the Commission to take this item up for action or to proceed with the section deletion as so desired. Passage of Alternate Ordinance A would be without the noise engineer provision.

The language which is illustrated in this Section in Alternate Ordinance B is reflective of a one (1) time use of the provisions of the sound system review by a qualified engineer. Other changes can be incorporated at the direction of the City Commission if this Section is to be retained in the Second Reading. There is no recommendation from the Administration on this provision as either version can be incorporated and utilized at the direction of the City Commission. This alternate has only been included based on comments at the ordinance first reading by City Commissioners that revisiting the subject at second reading may be desired.

## **Conclusion**

The draft Noise Ordinance as presented represents a substantial effort to provide a fair and effective mechanism to regulate noise within the City of Miami Beach. The core of the Ordinance, Miami-Dade County Code Section 21-28, is a constitutionally valid basis for noise enforcement that is both flexible and tested, in that it has been used in the City of Miami Beach with good affect for approximately the last five years. With the addition of the Commission directed changes to key areas of dispute among the stakeholders, the document as represented does constitute an Ordinance which is believed to be an effective deterrent for violations and within the capability of the City Administration to implement and enforce.

It is suggested and a part of the recommended motion that upon approval of a version of the Noise Ordinance by the City Commission, that the City Administration monitor and report back in one year to both the City Commission and key stakeholders on the effectiveness of enforcement and the true deterrence that the Noise Ordinance has been able to accomplish for noise generation within our community.

JMG\RCM\sam

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Attachment

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CITY CODE, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE IV, ENTITLED "NOISE," BY AMENDING SECTION 46-151, ENTITLED "DEFINITIONS," TO PROVIDE NEW TERMS AND DEFINITIONS AND DELETING CERTAIN TERMS AND DEFINITIONS; AMENDING SECTION 46-152, ENTITLED "UNREASONABLY LOUD NOISE PROHIBITED," BY AMENDING THE TITLE AND ADOPTING SECTION 21 - 28 OF THE CODE OF MIAMI-DADE COUNTY BY REFERENCE; AMENDING SECTION 46-153, ENTITLED "RESPONSIBILITY FOR COMPLIANCE," BY AMENDING THE PROVISIONS THEREOF; REPEALING SECTION 46-154, ENTITLED "NOISE LEVEL IN SPECIFIC AREA"; REPEALING SECTION 46-155, ENTITLED "ADDITIONAL SOUND LIMITATIONS FOR PUBLIC PROPERTY"; AMENDING SECTION 46-156, ENTITLED "TEMPORARY PERMITS," BY EXPANDING THE PROHIBITED AREAS FOR CONSTRUCTION NOISE TO WITHIN 300 FEET OF CERTAIN DISTRICTS AND AMENDING THE EXEMPTIONS FOR SPECIAL EVENTS AND FILM PERMITS; AMENDING SECTION 46-157, ENTITLED "EXEMPTIONS," AND BY DELETING SUBSECTION (11) AND AMENDING THE PROVISIONS THEREOF; AMENDING SECTION 46-158, ENTITLED "ENFORCEMENT BY CODE INSPECTORS; NOTICE OF VIOLATION," BY AMENDING THE PROCEDURES FOR ENFORCEMENT AND WARNINGS; AMENDING SECTION 46-159, ENTITLED "CIVIL FINES FOR VIOLATION; APPEALS," BY AMENDING THE FINES AND PENALTIES FOR VIOLATIONS, THE APPEAL PROCEDURES, AND THE ALTERNATE MEANS OF ENFORCEMENT; AMENDING AND RENUMBERING SECTION 46-160, ENTITLED "NUISANCE," AS SECTION 46-161, AND RENAMING SECTION 46-160 AS "RELIEF FROM VIOLATIONS FOR SOUND SYSTEMS AND COMPLIANCE" AND CREATING PROVISIONS THEREFOR; AMENDING AND RENUMBERING SECTION 46-161, ENTITLED "MOTOR VEHICLE ALARMS" AS SECTION 46-162 WHICH IS HEREBY CREATED; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, noise has been a topic of concern within the City of Miami Beach for many years and has recently been the subject of Commission discussion and community meetings to address modified enforcement and legislative solutions; and



**WHEREAS**, the purpose of this ordinance is to obtain compliance with the prohibition on unnecessary and excessive noise in the City before imposing fines and other penalties; and

**WHEREAS**, in order to strike a balance between the concerns of the business community and residents, a warning and violation system has been developed which takes into account the diverse character of the City; and

**WHEREAS**, the provisions in this Ordinance will serve to further address the noise concerns of the City and its residents.

**NOW, THEREFORE, BE IT DULY ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH AS FOLLOWS:**

**SECTION 1.** That Section 46-151 of Article IV of Chapter 46 of the Miami Beach City Code is hereby amended as follows:

## **Chapter 46**

### **ENVIRONMENT**

\* \* \*

### **ARTICLE IV. NOISE**

#### **Sec. 46-151. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Accessory use* means those uses deemed accessory uses under the Land Development Regulations of this Code.

*Amplification device* means any instrument, machine, or system, which by electronic means augments sound by increasing the sound level or volume.

*Amplified sound* means sound augmented by any electronic means that increases the sound level or volume.

*City manager* means the city manager or the city manager's designee which may be one of his assistants or a department or division head of the city designated by the city manager, or the Special Master.

*Code inspector* means an authorized employee or agent of the city whose duty it is to ensure code compliance, including but not limited to inspectors of the city's code compliance

department, and police officers, or any authorized agent or employee of the city whose duty it is to assure code compliance.

~~*Complainant* means any owner, lessee, manager or person with a legal interest in a receiving property who reports being disturbed by sound heard inside of a residence or place of business upon the receiving property and not originating therefrom.~~

*Conditional use* means those uses deemed conditional uses under the Land Development Regulations of this Code.

*Emergency work* means any work performed for the purpose of remedying conditions that create an imminent peril to life, health or property.

*Habitual* means when a person or entity has more than five offenses within one year of the first offense.

*Offense* means a notice of violation that has not been contested timely or a finding of violation by a special master following the appeal of a violation.

*One year* means a continuous period of time from the date of a first written warning.

~~*Plainly audible* means the sound can be clearly heard by a person of normal sensibilities using only unaided auditory senses. Plainly audible shall refer to a sound heard at a volume level above that of normal conversation and shall not include sounds which are just barely audible. With respect to music the detection of a rhythmic base reverberating type sound, beat or cadence shall be deemed plainly audible.~~

*Premises* means any real property or parcel of land, including the buildings, structures or other improvements thereon.

~~*Property line* means an imaginary line along the ground surface, and its vertical extension, which separates the real property owned by a person from that owned by another person, but not including intrabuilding real property divisions.~~

*Qualified Noise Engineer* means any person from a list of engineers maintained by the City selected pursuant to the City's competitive bidding procedures.

~~*Receiving property* means any residence or place of business into which sound, not originating therefrom, is traveling.~~

~~*Residence* means any occupied room or rooms connected together containing sleeping facilities, including single and multiple family homes, town homes, apartments, condominium units, and hotel and motel rooms.~~

~~*Sound source* means the place from which sound emanates, including without limitation a speaker, loudspeaker, or other sound producing instrument or person.~~

*Special master* means a hearing officer appointed pursuant to chapter 30 of this Code.

~~*Uninvited noise* means noise not originating on the receiving property.~~

~~*Unreasonably loud* means noise that is plainly audible inside of a receiving property across a property line.~~

*Violator* means a person or entity determined or cited by a code inspector as being in violation of the provisions of this Article.

**SECTION 2.** That Section 46-152 of Article IV of Chapter 46 of the Miami Beach City Code is hereby amended as follows:

**Sec. 46-152. ~~Unreasonably loud noise prohibited.~~ Adoption by reference. Noises; unnecessary and excessive prohibited.**

~~At all times, it shall be unlawful for any person to cause or permit to originate from the real property he controls any sound that crosses a real property line at a volume that is unreasonably loud.~~

Section 21-28 of the Code of Miami-Dade County, entitled "Noises; unnecessary and excessive prohibited,"<sup>1</sup> is recognized as being in force in the City and is hereby adopted by reference as if

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<sup>1</sup> Section 21 – 28 of the Code of Miami-Dade County provides as follows:

Sec. 21-28. Noises; unnecessary and excessive prohibited.

It shall be unlawful for any person to make, continue, or cause to be made or continued any unreasonably loud, excessive, unnecessary or unusual noise. The following acts, among others, are declared to be unreasonably loud, excessive, unnecessary or unusual noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:

(a) *Horns, signaling devices, etc.* The sounding of any horn or signaling device on any automobile, motorcycle, bus or other vehicle on any street or public place of the County, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; and the sounding of any such device for any unnecessary and unreasonable period of time.

(b) *Radios, televisions, phonographs, etc.* The using, operating, or permitting to be played, used or operated any radio receiving set, television set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such manner as to be plainly audible at a distance of one hundred

fully set forth herein, as that code may be amended from time to time. All code inspectors, as defined in this Article, are authorized and directed to enforce the provisions of said Section 21-28 and the provisions of this Article.

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(100) feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.

(c) *Animals, birds, etc.* The owning, harboring, possessing or keeping of any dog, animal or bird which causes frequent, habitual or long continued noise which is plainly audible at a distance of one hundred (100) feet from the building, structure or yard in which the dog, animal or bird is located.

(d) *Whistles.* The blowing of any locomotive whistle or whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of fire or danger or upon request of the proper municipal or County authorities.

(e) *Exhausts.* The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, or motor vehicle except through a muffler or other device which will effectively prevent unreasonably loud or explosive noises therefrom.

(f) *Defect in vehicle or load.* The use of any automobile, motorcycle, jet ski, water bike, recreational vehicle, dirt bike or motor vehicle so out of repair, so loaded or in such manner as to create unreasonably loud or unnecessary grating, grinding, rattling or other noise within a residential area.

(g) *Schools, courts, hospitals.* The creation of any excessive or unreasonably loud noise on any street adjacent to any school, institution of learning, house of worship or court while the same are in use, or adjacent to any hospital, which unreasonably interferes with the workings of such institutions, or which disturbs or unduly annoys the patients in the hospital, provided conspicuous signs are displayed in such streets indicating that it is a school, hospital or court street.

(h) *Hawkers, peddlers.* The shouting and crying of peddlers, hawkers, and vendors which disturbs the peace and quiet of the neighborhood.

(i) *Noises to attract attention.* The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by creation of any unreasonably loud or unnecessary noise to any performance, show, sale, display or advertisement of merchandise.

(j) *Loudspeakers, etc.* The use or operation on or upon the public streets, alleys and thoroughfares anywhere in this County for any purpose of any device known as a sound truck, loud speaker or sound amplifier or radio or any other instrument of any kind or character which emits therefrom loud and raucous noises and is attached to and upon any vehicle operated or standing upon such streets or public places aforementioned. It is provided, however, that this subsection is not intended to be construed in a manner that would interfere with the legitimate use of the foregoing loudspeaker type devices in political campaigns.

(k) *Power tools and landscaping equipment.* The operation of noise-producing lawn mowers, lawn edgers, weed trimmers, blowers, chippers, chain saws, power tools and other noise-producing tools which are used to maintain or at a residence out-of-doors between 8:00 p.m. and 7:00 a.m.

(l) *Shouting.* Any unreasonably loud, boisterous or raucous shouting in any residential area.

(Ord. No. 58-5, § 21.07, 2-18-58; Ord. No. 96-130, § 1, 9-10-96)

**SECTION 3.** That Section 46-153 of Article IV of Chapter 46 of the Miami Beach City Code is hereby amended as follows:

**Sec. 46-153. Responsibility for compliance.**

For purposes of ~~sections 46-152 through 46-155~~ this Article, any person owning or having responsibility for management of a ~~business~~ premises, however temporarily, any performer or disc jockey producing sound upon any ~~business~~ premises, any person playing music, any person having control of volume knobs or levels ~~or amplification devices~~, and the business as named on the occupational license, if applicable, shall be jointly and severally liable for compliance with this article and shall be responsible for any violations of this article.

**SECTION 4.** That Section 46-154 of Article IV of Chapter 46 of the Miami Beach City Code is hereby repealed.

**Sec. 46-154. Noise level in specific area. Repealed.**

(a) ~~*Purpose.* The purpose of these regulations is to allow for an area of the city where the ambience contributes to the enjoyment by residents and visitors of uses that feature the serving of food and beverages accompanied by outdoor live and pre-recorded musical entertainment.~~

(b) ~~*Boundaries.* The area for which these regulations apply shall be located between 900 and 1090 Ocean Drive on Miami Beach. The legal description for this area is as follows:~~

~~Lots 1 through 8, inclusive, block 14; and lots 1 through 8, inclusive, block 15, Ocean Beach Addition No. 2, as recorded in plat book 2, page 56, public records of the county.~~

(c) ~~*Limitation on noise volume.*~~

(1) ~~For purposes of enforcement of this article, the following definition of "unreasonably loud" shall apply for all noises originating within the area as described in subsection (b) of this section:~~

~~Uninvited noise shall be deemed unreasonably loud if it is plainly audible inside a residential receiving property or part thereof at a distance greater than 50 feet away from the property line of the sound source or is plainly audible inside a place of business or part thereof at a distance greater than 100 feet away from the property line of the sound source. For purposes of enforcement of this section, measurements of distance from a sound source to a receiving property shall be measured in a straight line from the property line of the sound source to the residence or place of business which is the receiving property. The measurement will begin at that point on the property line of the sound source nearest to the receiving property.~~

- (2) ~~All procedures for enforcement of violations of the noise limitations in subsection (e)(1) of this section and for appeals of notices of violations issued by code inspectors shall be as set forth in this article.~~
- (d) ~~No variances granted.~~ No variances shall be granted from the permissible volume limitations set forth in subsection (e) of this section.
- (e) ~~Applicability of zoning provisions.~~ The regulations set forth in this section shall be supplementary to all other provisions, and zoning regulations shall continue to apply within the area.

**SECTION 5.** That Section 46-155 of Article IV of Chapter 46 of the Miami Beach City Code is hereby repealed.

**Sec. 46-155. Additional sound limitations for public property. Repealed.**

~~No person shall, on any public street or sidewalk, beach or park use, operate or play any radio, phonograph, stereo set, tape or CD player, television, sound amplifier, or other electronic audio device that produces or reproduces amplified sound, at a level that is plainly audible at a distance of more than ten feet from the sound source.~~

**SECTION 6.** That Section 46-156 of Article IV of Chapter 46 of the Miami Beach City Code is hereby amended as follows:

**Sec. 46-156. Temporary permits.**

- (a) The city manager or his designee is authorized to issue a temporary permit to allow noise prohibited by sections 46-152 and 46-155 when produced by a temporary use or activity that does not significantly endanger the health, safety or welfare of the neighborhood. The city manager or his designee may prescribe any reasonable conditions necessary to minimize any adverse effect upon the community. A permit granted under this article shall contain all conditions upon which the permit has been granted, including the period of time for which the permit has been granted. Such relief may be granted in the following situations:
- (1) *Code compliance in progress.* When an applicant is utilizing best efforts to comply with the noise restrictions in this article, but additional time is required for the applicant to modify his activity to comply and no reasonable alternative is available to the applicant, ~~such~~ permits may be granted for a period of time not to exceed ten days.
- (2) *Construction.* When construction activities pursuant to a valid building permit cannot be carried out in a manner which would comply with sections 46-152 and 46-155; provided that all equipment shall be operated in accordance with

manufacturer's specifications, shall be in good repair and shall utilize all noise baffling methods as specified by the manufacturer, and further provided that such activities shall occur only as follows:

- a. Between the hours of 7:30 a.m. and 6:30 p.m. and between the hours of 7:30 a.m. and 7:30 p.m. during daylight savings time, on any day in areas zoned as CCC, GU, I-1, MR, CPS-1, CPS-2, CPS-3, CPS-4, RO, WD-1, WD-2, GC, HD, MXE, CD-1, CD-2 and CD-3.
- b. Between the hours of 8:00 a.m. and 6:00 p.m. on weekdays and 10:00 a.m. and 4:00 p.m. on Saturdays in areas zoned as RM-1, RM-2, RM-3, RM-PRD, RPS-1, RPS-2, RPS-3, RPS-4, RMPS-1, RS-1, RS-2, RS-3, RS-4, TH and in any exclusively residential zoning district not otherwise specified in this subsection, or within three hundred feet of any of these zoning districts. No construction shall be permitted on Sundays or on national holidays.

Notwithstanding the provisions set forth in subsections (a)(2)a and b of this section, the ~~building official~~ City Manager or his designee may authorize any construction activity at a particular site within a zoning district set forth in subsection (a)(2)a of this section earlier than 7:30 a.m. Under emergency circumstances only, the building official may authorize any necessary construction activities earlier than 8:00 a.m. and/or later than 4:00 p.m. on any day within a zoning district set forth in subsection (a)(2)b of this section. The work authorized by the building official pursuant to this subsection may be conditioned upon notice to surrounding property owners and tenants. Such permits may be granted for a period of time not to exceed three consecutive days.

- (3) *Special events and film and print permits.* A film permit issued pursuant to section 12-1, or a special event permit issued pursuant to section 12-5 may be exempted from the requirements of section 46-152 upon specific compliance with sections 12-1(9) or 12-5(8), as applicable. When the applicant seeks to hold a special event or film and print production, or other activity, and has met all of the city's requirements for obtaining such permit as set forth in applicable regulations, resolutions or ordinances and the activity or special event cannot be performed or held in a manner that would comply with sections 46-152 and 46-155. Except for special events and film and print productions, such permits may be issued for a period of time not to exceed three days. In lieu of a separate permit issued hereunder, the special event or film and print permit may include the authorization and conditions contemplated hereunder. See section 12-1, for film and print production permits, or section 12-5, for special events.

- (b) Failure to comply with any condition of a temporary permit issued pursuant to this section shall constitute a violation and shall result in enforcement procedures and penalties as set forth in sections 46-158, 46-159 and 46-160.

**SECTION 7.** That Section 46-157 of Article IV of Chapter 46 of the Miami Beach City Code is hereby amended as follows:

**Sec. 46-157. Exemptions.**

The following uses and activities shall not constitute unnecessary and excessive noises prohibited in section 46-152 ~~be exempt from the requirements of sections 46-152 and 46-155 and from the enforcement procedures in this article:~~

- (1) Cries for emergency assistance and warning calls.
- (2) Radios, sirens, horns and bells and other sounds created by police, fire and other emergency response vehicles.
- (3) Parades, fireworks displays, ~~special events~~ and other activities for which a permit has been obtained from the city, pursuant to section 46-156, within such hours and in accordance with such restrictions as may be imposed as conditions for the issuance of the permit.
- (4) Activities on or in ~~municipal and school athletic~~ facilities and on or in publicly owned property and facilities, when such activities have been authorized by the public authority owning the properties or facilities or their agents; except where such publicly owned properties are under private operation or use. ~~pursuant to a lease or concession agreement.~~
- (5) Fire alarms and burglar alarms, bells and chimes of churches or other religious institutions; however, false burglary alarms shall be subject to enforcement procedures and penalties as set forth in article II of chapter 42.
- (6) Locomotives and other railroad equipment and aircraft, to the extent that city regulation is preempted by federal law.
- (7) Noises resulting from emergency work.
- (8) Any noise resulting from activities of a temporary duration permitted pursuant to section 46-156.
- (9) Noise generated by motor vehicles as defined in F.S. § 320.01 when operated and equipped in accordance with requirements set forth in the Florida Statutes.
- (10) Noise resulting from the operation of vessels when operated in compliance with the decibel limitations in F.S. § 327.65. However, noise exceeding the limitations set forth in F.S. § 327.65 shall be subject to enforcement and penalties as set forth in F.S. ch. 327.



- (11) ~~Noises emanating from the unamplified conversations of persons on the public streets and sidewalks. Live or amplified sound projecting east of the east property line from each property from 1<sup>st</sup> Street to 5<sup>th</sup> Street on the east side of Ocean Drive, from 5<sup>th</sup> Street to 15<sup>th</sup> Street on the west side of Ocean Drive, on the east side of Collins Avenue from 15<sup>th</sup> Street to 73<sup>rd</sup> Street, on the west side of Ocean Terrace from 73<sup>rd</sup> to 75<sup>th</sup> Streets, and the east side of Collins Avenue from 76<sup>th</sup> to 87<sup>th</sup> Streets. This exemption shall only apply to that area located east of the violating property and between its north and south and any lateral property boundaries and where there is no building or structure on the adjacent property to the east unless the adjacent building or structure is owned by the violator. Any noise generated by a property that is outside of this area shall be subject to the enforcement provisions of this article.~~

**SECTION 8.** That Section 46-158 of Article IV of Chapter 46 of the Miami Beach City Code is hereby amended as follows:

**Sec. 46-158. Enforcement by code inspectors; notice of violation; warnings.**

- (a) Notice of Violation. ~~If a code inspector receives a complaint from a complainant regarding a violation of its article, he shall investigate the complaint and determine whether the violation exists. If the code inspector then observes a violation of this article, in response to a complaint, the inspector shall issue a notice of violation to the violator, except as otherwise provided in subsection (b), and inform the violator that he must immediately cease the violation and that the violator will be subject to additional penalties if the violation continues and that issue a notice of violation will be issued to the violator as provided in Chapter 30 of this Code. The notice shall inform the violator of the:~~

- (1) Name of the violator.
- (2) Date and time of violation.
- (3) Nature of the violation.
- (4) Amount of fine or other penalty for which the violator may be liable pursuant to section 46-159 of this Code or as otherwise provided by law.
- (5) Instructions and due date for paying the fine.
- (6) Notice that the violation may be appealed by filing a written request for an administrative hearing with the clerk of the special master within ten days after service of the notice of violation, for requesting an administrative hearing, that failure to do so shall constitute an admission of the violation and waiver of the right to a hearing, and that unpaid fines will result in the imposition of liens which may be foreclosed by the city.

The notice shall also inform the violator that repeat violations of this article will result in the imposition of larger fines and may also result in revocation, suspension, or the imposition of restrictions on an occupational license, and/or certificate of use, or accessory use, and/or injunctive proceedings as provided by law. The notice shall be signed by the code inspector who witnessed the violation.

(b) Warnings.

1. Oral Warnings

If a code inspector observes a violation of this article without a complaint having been made, the inspector may first issue an oral courtesy warning and inform that the violator will be subject to penalties if the violation continues.

2. Written Warnings

In the following circumstances, a code inspector shall first issue one written warning to immediately cease the violation prior to issuing a notice of violation:

- a. On six different days in one year; and
- b. On one day during certain Major Event Periods as designated annually by the City Manager.

The written warning shall be substantially in the same form as the notice of violation as stated in section 46-158 (a) above. Failure to correct the violation within fifteen minutes following the issuance of a warning, shall result in the issuance of a notice of violation pursuant to this Article. The holder of the occupational license for the premises where a violation or warning is issued shall have the responsibility to keep the City advised of the current address of the owner of the premises. A final warning shall mean the warning preceding a notice of violation. A person who has received a final warning may appeal the issuance of the final warning to the Special Master. If the Special Master finds that no violation occurred, the final warning shall be voided.

A Code Inspector shall not issue a warning, and instead shall issue a notice of violation, to any person, entity or establishment who: 1) in any one day has already been issued a written warning as specified in 46-158 or 2) in any one year period has exceeded any of the warning limits specified in 46-158 (b).

**SECTION 9.** That Section 46-159 of Article IV of Chapter 46 of the Miami Beach City Code is hereby amended as follows:

**Sec. 46-159. Civil ~~f~~Fines and penalties for violation; appeals; alternate means of enforcement.**

(a) ~~Civil f~~Fines and penalties. The following civil fines and penalties shall be imposed for violations of this chapter:

- (1) First offense, \$250.00 fine.
- (2) Second offense within one year, \$1,000.00 fine.
- (3) Third offense within one year, \$2,000.00 fine.
- (4) Fourth offense within one year, one weekend (Noon Friday through noon Monday) occupational license conditions and/or accessory use restrictions shall be imposed limiting the ability to produce any live or amplified sound at that portion of the premise that caused the violation, in addition to a \$3,000.00 fine.
- (5) Fifth offense within one year, two weekend (noon Friday through noon Monday) occupational license conditions and/or accessory use restrictions shall be imposed limiting the ability to produce any live or amplified sound at that portion of the premise that caused the violation, in addition to a \$5,000.00 fine.

~~For purposes of this section, "offense" shall mean a notice of violation that has not been contested timely or a finding of violation by a special master following the appeal of a violation.~~ A person may receive a separate notice of violation once every hour if a violation has occurred at any time within that period. Each ~~notice of violation~~ shall constitute a separate offense for which a separate fine ~~may shall~~ be imposed. An offense shall be deemed to have occurred on the date the violation occurred. License suspensions or accessory use restrictions pursuant to this section shall be imposed by order of the Special Master after finding an offense warranting suspension or restriction has occurred.

(b) A violator who has been served with a notice of violation shall elect either to:

- (1) Pay the civil fine in the manner indicated on the notice; or
- (2) File a written request Request for an administrative hearing before a special master to appeal the decision of the code inspector that resulted in the issuance of the notice of violation. The written request shall be submitted to the clerical staff of the special master no later than ten (10) days of service of the notice of violation, and shall be accompanied by a \$75 appeal fee. The fee may be returned to the violator if the special master rules in favor of the violator. All disputes regarding proper notice of the violation and timeliness of the appeal shall be heard by the special master prior to any hearing on the merits of the violation itself.

- (c) The procedures for appeal of the notice of violation shall be as set forth in sections ~~102-384 and~~ 102-385. A courtesy mail notice ~~shall~~ may be provided to the complainant of any hearing regarding the notice of violation, and the complainant may testify at such hearings. Failure to give such notice shall not be a cause for continuance or cancellation of any scheduled hearing of the matter. Only two continuances, for no longer than 20 days each, shall be granted by the Sspecial Mmaster for an appeal any administrative hearing unless the alleged offender, at a hearing on a motion for continuance, establishes by testimony, and/or other evidence, that good cause exists for a further continuance. If the special master finds that a violation has occurred, the applicable penalty set forth in §46-159(a) shall be imposed.
- (d) ~~If the named violator after notice fails to pay the civil fine or fails to timely request an administrative hearing before a special master, the special master shall be informed of such failure by report from the code inspector.~~ Failure of the named violator to appeal the decision of the code inspector within the prescribed time period shall constitute a waiver of the violator's right to administrative hearing before the special master. A waiver of the right to an administrative hearing shall be treated as an admission of the violation and penalties ~~may~~ shall be assessed accordingly. In the event of a fourth or fifth offense, and following notification by the code inspector of the violator's failure to timely request an administrative hearing, the special master shall enter an order setting the time during which conditions shall be imposed on the violator's occupational license or, as applicable, the accessory uses shall be restricted. Such conditions or restrictions shall begin no later than 30 days after entry of the order by the special master.
- (e) Any party aggrieved by the decision of a Special Master may appeal that decision to a court of competent jurisdiction as provided in F.S. § 162.11 and section 30-77 of this Code.
- (f) The city may institute proceedings in a court of competent jurisdiction to compel payment of civil fines. A certified copy of an order imposing a civil fine or city bill for penalties due under this section may be recorded in the public records and thereafter shall constitute a lien upon any other real or personal property owned by the violator and it may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgment except for enforcement purposes. After two months from the filing of any such lien that remains unpaid, the city may foreclose or otherwise execute on the lien. All costs and attorneys fees incurred by the City for collecting any fine shall be paid by the violator.
- (g) As an alternative or additional means of enforcement, the city may institute proceedings to revoke or suspend an occupational license and/or certificate of use or seek injunctive relief ~~as set forth in section 46-158.~~
- (h) ~~Furthermore, i~~ In cases of recurring habitual violations or offenses, the code inspector City Manager may issue a citation an administrative complaint for prosecution before the special master suspension or revocation of an occupational license and certificate of use

~~as provided in this chapter wherein Section 102-383. Upon a finding of habitual violations or offenses by the special master City Manager, an per diem fine occupational license suspension, revocation and/or fine shall may be imposed. Suspensions shall be imposed with restrictions limiting the ability to provide any live or amplified sound as either a condition of the occupational license or as an accessory use restriction. In the event the violator is a hotel, motel, condominium, apartment or other residential property, accessory use restrictions shall be imposed in lieu of an occupational license revocation which results in the eviction of residents. Additionally, in the event of a revocation, as a condition of being permitted to resume operation under the occupational license, the City~~

~~Manager shall utilize the criteria set forth in Section 142-1362 of this Code to impose such conditions or restrictions as deemed appropriate to assure the licensed property compliance with all City Codes. A violation shall be considered recurring when a person or entity has received three notices of violation within a period of one month.~~

~~In determining the length of the suspension or accessory use restriction to be imposed under this subsection, the City Manager shall consider the following factors: the gravity of the violations or offenses; any actions taken by the violator to correct the violations or offenses; and, any previous violations or offenses committed by the violator. No suspension or accessory use restriction imposed under this subsection shall be for a period of time of less than 30 consecutive days.~~

~~In the event a habitual violator does not hold an occupational license or certificate of use, the Special Master shall impose a fine up to \$5,000.00 per violation.~~

- ~~(i) Any fine imposed under this Article shall become a lien pursuant to the procedures of sections 30-74 and 30-75 of this code.~~
- ~~(j) In addition, in the event a violator refuses to comply with a notice of violation issued under section 46-158, a violator may be punished by imprisonment not to exceed 60 days or by imposition of a fine not to exceed \$500.00 per offense or both.~~
- ~~(k) Nothing herein shall restrict the powers and authority granted to the various boards and committees of the city, including the imposition of conditions and sanctions not specifically enumerated in this article.~~
- ~~(l) Nothing herein shall be deemed to modify existing applicable State, County or City building and fire codes, ordinances, laws or regulations.~~
- ~~(m) A nolle prosequi, or any other decision made by the City not to prosecute a notice of violation, must be based upon good cause and issued in writing in a public record.~~

**SECTION 10.** That Section 46-160 of Article IV of Chapter 46 of the Miami Beach City Code is hereby amended as follows:

**Sec. 46-160. Nuisance. Relief from violations for sound system review and compliance.**

After receiving at least one violation under this Article, a violator may request relief from the penalty schedule in subsection (a) by filing with the City a report from a Qualified Noise Engineer ("Engineer"), as defined by this Article, under the following procedure.

- (1) The Engineer's report shall be submitted to the City Manager within thirty days of the issuance by the City Manager of written response that the Engineer submitted for

verification meets the minimum qualifications established under this Article. The report shall be submitted on a form prepared by the City and shall review the violator's business activities and premises, and recommend measures for the violator to follow to assist the violator in achieving compliance with this Article. Any report submitted under this section shall not excuse the violation, nor shall it be evidence that the violation, or any subsequent violation has not occurred.

- (2) The violator shall implement all measures recommended by the Engineer and all such measures must comply with all applicable federal, state, and local codes, regulations and laws. The violator shall provide the City with proof that such measures were implemented. Upon verification by the City that all measures recommend by the Engineer have been implemented, the violator shall be allowed to restart a fine and penalty history at the level of a first violation for any subsequent noise violation at the subject property for the balance of the year and escalating from that date forward, except that any fines due or paid for those violations before the new start period shall not be waived or returned.

- (3) Following the issuance by the City Manager of a written response of verification that the selected Engineer meets the minimum qualifications provided by the Article, and upon a showing of good cause, an enlargement of time to submit the report may be granted upon submission of a written request to the City Manager.

- (4) Relief from violations shall not prohibit the city from utilizing evidence of the violations in proceedings to seek compliance with city and Miami-Dade County Codes or Florida and Federal laws by other means not provided in this Article.

- (5) A property owner may utilize the relief provided in this Section only one time.

**SECTION 11.** That Section 46-161 of Article IV of Chapter 46 of the Miami Beach City Code is hereby amended as follows:

**Sec. 46-161. ~~Motor vehicle alarms.~~ Nuisance.**

Any violation of this article shall constitute a nuisance. The city attorney may bring suit on behalf of the city, or any affected citizen may bring suit in his name, against the person or persons causing or maintaining the violation, and against the owner/agent of the building or property on which the violation exists. Relief may be granted according to the terms and conditions of F.S. § 60.05, relating to abatement of nuisances, or pursuant to section 46-159. In any such action, the city or affected citizen, if the prevailing party, shall be awarded costs, including reasonable attorney's fees.

**SECTION 12.** That Section 46-162 of Article IV of Chapter 46 of the Miami Beach City Code is hereby created to set forth the provisions formerly in section 46-161, and as amended, as follows:

**Sec. 46-162. Motor vehicle alarms.**

- (a) Definition. The following term shall have the following meaning for purposes of this section: "alarm system" shall mean a motor vehicle siren or horn alarm system contained in or appurtenant to a motor vehicle, designed to activate and sound in the event of a break-in or attempted break-in of the vehicle.
- (b) It shall be unlawful for any motor vehicle equipped with an alarm system to activate and emit a siren or horn noise, audible at a distance of 100 feet intermittently or continuously within a period in excess of ~~30~~ 15 minutes ~~between the hours of 11:00 p.m. and 7:00 a.m.~~. Any person who has custody of any such offending motor vehicle shall be deemed in violation of this section.
- (c) A violation of this section on the public streets or areas within the city is hereby declared a public nuisance which may be abated by the removal of such vehicle upon authorization of a law enforcement officer. Prior to removing such vehicle, the law enforcement officer shall afford the owner or custodian of such vehicle the opportunity to disconnect or deactivate the alarm system at the scene. Otherwise, the vehicle shall be removed to an authorized facility. The law enforcement agency shall ascertain the name and address of the registered owner of such vehicle and provide written notice by certified mail, return receipt requested, within 24 hours of such removal, the reason(s) for the removal, and the place where such vehicle has been removed. The fees assessed for the removal of the vehicle may be appealed by filing a complaint in the county court and posting with the court a cash or surety bond or security equal to the amount for the removal and/or storage of the vehicle to ensure the payment of such in the event the owner or custodian of the vehicle does not prevail.

- (d) A violation of this section on private property shall cause the person who owns or has custody of the offending vehicle to be fined \$50.00. Any duly designated law enforcement officer and/or code enforcement officer is authorized and empowered to enter without force upon private property in order to detect and issue a citation or notice of violation to and upon the owner or custodian of the offending motor vehicle. A copy of the citation or notice of violation may also be left on the offending vehicle and shall constitute notice. The citation or notice of violation may be appealed in accordance with the procedures set forth in sections 102-384 and 102-385 and chapter 30 of this Code.
- (e) It shall not be a violation of this section if it is determined by the law enforcement officer and/or code enforcement officer that the siren or horn noise has been triggered by the unauthorized opening of the hood, truck or door(s) of the vehicle, by the breaking or attempted breaking of a window or by lightning, thunderstorms, or severe weather conditions.

### **SECTION 13. CODIFICATION**

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

### **SECTION 14. REPEALER**

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

### **SECTION 15. SEVERABILITY**

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.



**SECTION 16. EFFECTIVE DATE**

**PASSED** and **ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2005.

This Ordinance shall take effect on the \_\_\_\_ day of \_\_\_\_\_, 2005.

**ATTEST:**

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

W. H. Duff  
City Attorney

1-6-06  
Date

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CITY CODE, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE IV, ENTITLED "NOISE," BY AMENDING SECTION 46-151, ENTITLED "DEFINITIONS," TO PROVIDE NEW TERMS AND DEFINITIONS AND DELETING CERTAIN TERMS AND DEFINITIONS; AMENDING SECTION 46-152, ENTITLED "UNREASONABLY LOUD NOISE PROHIBITED," BY AMENDING THE TITLE AND ADOPTING SECTION 21 – 28 OF THE CODE OF MIAMI-DADE COUNTY BY REFERENCE; AMENDING SECTION 46-153, ENTITLED "RESPONSIBILITY FOR COMPLIANCE," BY AMENDING THE PROVISIONS THEREOF; REPEALING SECTION 46-154, ENTITLED "NOISE LEVEL IN SPECIFIC AREA"; REPEALING SECTION 46-155, ENTITLED "ADDITIONAL SOUND LIMITATIONS FOR PUBLIC PROPERTY"; AMENDING SECTION 46-156, ENTITLED "TEMPORARY PERMITS," BY EXPANDING THE PROHIBITED AREAS FOR CONSTRUCTION NOISE TO WITHIN 300 FEET OF CERTAIN DISTRICTS AND AMENDING THE EXEMPTIONS FOR SPECIAL EVENTS AND FILM PERMITS; AMENDING SECTION 46-157, ENTITLED "EXEMPTIONS," AND BY DELETING SUBSECTION (11) AND AMENDING THE PROVISIONS THEREOF; AMENDING SECTION 46-158, ENTITLED "ENFORCEMENT BY CODE INSPECTORS; NOTICE OF VIOLATION," BY AMENDING THE PROCEDURES FOR ENFORCEMENT AND WARNINGS; AMENDING SECTION 46-159, ENTITLED "CIVIL FINES FOR VIOLATION; APPEALS," BY AMENDING THE FINES AND PENALTIES FOR VIOLATIONS, THE APPEAL PROCEDURES, AND THE ALTERNATE MEANS OF ENFORCEMENT; AMENDING SECTION 46-161, ENTITLED "MOTOR VEHICLE ALARMS" BY AMENDING THE PROVISIONS CONCERNING VIOLATIONS; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**WHEREAS**, noise has been a topic of concern within the City of Miami Beach for many years and has recently been the subject of Commission discussion and community meetings to address modified enforcement and legislative solutions; and

**WHEREAS**, the purpose of this ordinance is to obtain compliance with the prohibition on unnecessary and excessive noise in the City before imposing fines and other penalties; and

**WHEREAS**, in order to strike a balance between the concerns of the business community and residents, a warning and violation system has been developed which takes into account the diverse character of the City; and

**WHEREAS**, the provisions in this Ordinance will serve to further address the noise concerns of the City and its residents.

**NOW, THEREFORE, BE IT DULY ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH AS FOLLOWS:**

**SECTION 1.** That Section 46-151 of Article IV of Chapter 46 of the Miami Beach City Code is hereby amended as follows:

## **Chapter 46**

### **ENVIRONMENT**

\* \* \*

#### **ARTICLE IV. NOISE**

##### **Sec. 46-151. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Accessory use* means those uses deemed accessory uses under the Land Development Regulations of this Code.

*Amplification device* means any instrument, machine, or system, which by electronic means augments sound by increasing the sound level or volume.

*Amplified sound* means sound augmented by any electronic means that increases the sound level or volume.

*City manager* means the city manager or the city manager's designee which may be one of his assistants or a department or division head of the city designated by the city manager, or the Special Master.

*Code inspector* means an authorized employee or agent of the city whose duty it is to ensure code compliance, including but not limited to inspectors of the city's code compliance

department, and police officers, or any authorized agent or employee of the city whose duty it is to assure code compliance.

~~*Complainant* means any owner, lessee, manager or person with a legal interest in a receiving property who reports being disturbed by sound heard inside of a residence or place of business upon the receiving property and not originating therefrom.~~

*Conditional use* means those uses deemed conditional uses under the Land Development Regulations of this Code.

*Emergency work* means any work performed for the purpose of remedying conditions that create an imminent peril to life, health or property.

*Habitual* means when a person or entity has more than five offenses within one year of the first offense.

*Offense* means a notice of violation that has not been contested timely or a finding of violation by a special master following the appeal of a violation.

*One year* means a continuous period of time from the date of a first written warning.

~~*Plainly audible* means the sound can be clearly heard by a person of normal sensibilities using only unaided auditory senses. Plainly audible shall refer to a sound heard at a volume level above that of normal conversation and shall not include sounds which are just barely audible. With respect to music the detection of a rhythmic base reverberating type sound, beat or cadence shall be deemed plainly audible.~~

*Premises* means any real property or parcel of land, including the buildings, structures or other improvements thereon.

~~*Property line* means an imaginary line along the ground surface, and its vertical extension, which separates the real property owned by a person from that owned by another person, but not including intrabuilding real property divisions.~~

*Qualified Noise Engineer* means any person from a list of engineers maintained by the City selected pursuant to the City's competitive bidding procedures.

~~*Receiving property* means any residence or place of business into which sound, not originating therefrom, is traveling.~~

~~*Residence* means any occupied room or rooms connected together containing sleeping facilities, including single and multiple family homes, town homes, apartments, condominium units, and hotel and motel rooms.~~

~~*Sound source* means the place from which sound emanates, including without limitation a speaker, loudspeaker, or other sound producing instrument or person.~~

*Special master* means a hearing officer appointed pursuant to chapter 30 of this Code.

~~*Uninvited noise* means noise not originating on the receiving property.~~

~~*Unreasonably loud* means noise that is plainly audible inside of a receiving property across a property line.~~

*Violator* means a person or entity determined or cited by a code inspector as being in violation of the provisions of this Article.

**SECTION 2.** That Section 46-152 of Article IV of Chapter 46 of the Miami Beach City Code is hereby amended as follows:

**Sec. 46-152. ~~Unreasonably loud noise prohibited.~~ Adoption by reference. Noises; unnecessary and excessive prohibited.**

~~At all times, it shall be unlawful for any person to cause or permit to originate from the real property he controls any sound that crosses a real property line at a volume that is unreasonably loud.~~

Section 21-28 of the Code of Miami-Dade County, entitled "Noises; unnecessary and excessive prohibited,"<sup>1</sup> is recognized as being in force in the City and is hereby adopted by reference as if

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<sup>1</sup> Section 21 – 28 of the Code of Miami-Dade County provides as follows:

Sec. 21-28. Noises; unnecessary and excessive prohibited.

It shall be unlawful for any person to make, continue, or cause to be made or continued any unreasonably loud, excessive, unnecessary or unusual noise. The following acts, among others, are declared to be unreasonably loud, excessive, unnecessary or unusual noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:

(a) *Horns, signaling devices, etc.* The sounding of any horn or signaling device on any automobile, motorcycle, bus or other vehicle on any street or public place of the County, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; and the sounding of any such device for any unnecessary and unreasonable period of time.

(b) *Radios, televisions, phonographs, etc.* The using, operating, or permitting to be played, used or operated any radio receiving set, television set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such manner as to be plainly audible at a distance of one hundred (100) feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.

fully set forth herein, as that code may be amended from time to time. All code inspectors, as defined in this Article, are authorized and directed to enforce the provisions of said Section 21-28 and the provisions of this Article.

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- (c) *Animals, birds, etc.* The owning, harboring, possessing or keeping of any dog, animal or bird which causes frequent, habitual or long continued noise which is plainly audible at a distance of one hundred (100) feet from the building, structure or yard in which the dog, animal or bird is located.
- (d) *Whistles.* The blowing of any locomotive whistle or whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of fire or danger or upon request of the proper municipal or County authorities.
- (e) *Exhausts.* The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, or motor vehicle except through a muffler or other device which will effectively prevent unreasonably loud or explosive noises therefrom.
- (f) *Defect in vehicle or load.* The use of any automobile, motorcycle, jet ski, water bike, recreational vehicle, dirt bike or motor vehicle so out of repair, so loaded or in such manner as to create unreasonably loud or unnecessary grating, grinding, rattling or other noise within a residential area.
- (g) *Schools, courts, hospitals.* The creation of any excessive or unreasonably loud noise on any street adjacent to any school, institution of learning, house of worship or court while the same are in use, or adjacent to any hospital, which unreasonably interferes with the workings of such institutions, or which disturbs or unduly annoys the patients in the hospital, provided conspicuous signs are displayed in such streets indicating that it is a school, hospital or court street.
- (h) *Hawkers, peddlers.* The shouting and crying of peddlers, hawkers, and vendors which disturbs the peace and quiet of the neighborhood.
- (i) *Noises to attract attention.* The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by creation of any unreasonably loud or unnecessary noise to any performance, show, sale, display or advertisement of merchandise.
- (j) *Loudspeakers, etc.* The use or operation on or upon the public streets, alleys and thoroughfares anywhere in this County for any purpose of any device known as a sound truck, loud speaker or sound amplifier or radio or any other instrument of any kind or character which emits therefrom loud and raucous noises and is attached to and upon any vehicle operated or standing upon such streets or public places aforementioned. It is provided, however, that this subsection is not intended to be construed in a manner that would interfere with the legitimate use of the foregoing loudspeaker type devices in political campaigns.
- (k) *Power tools and landscaping equipment.* The operation of noise-producing lawn mowers, lawn edgers, weed trimmers, blowers, chippers, chain saws, power tools and other noise-producing tools which are used to maintain or at a residence out-of-doors between 8:00 p.m. and 7:00 a.m.
- (l) *Shouting.* Any unreasonably loud, boisterous or raucous shouting in any residential area.  
(Ord. No. 58-5, § 21.07, 2-18-58; Ord. No. 96-130, § 1, 9-10-96)

**SECTION 3.** That Section 46-153 of Article IV of Chapter 46 of the Miami Beach City Code is hereby amended as follows:

**Sec. 46-153. Responsibility for compliance.**

For purposes of sections ~~46-152 through 46-155~~ this Article, any person owning or having responsibility for management of a ~~business~~ premises, however temporarily, any performer or disc jockey producing sound upon any ~~business~~ premises, any person playing music, any person having control of volume knobs or levels or amplification devices, and the business as named on the occupational license, if applicable, shall be jointly and severally liable for compliance with this article and shall be responsible for any violations of this article.

**SECTION 4.** That Section 46-154 of Article IV of Chapter 46 of the Miami Beach City Code is hereby repealed.

**Sec. 46-154. Noise level in specific area. Repealed.**

(a) ~~*Purpose.* The purpose of these regulations is to allow for an area of the city where the ambience contributes to the enjoyment by residents and visitors of uses that feature the serving of food and beverages accompanied by outdoor live and pre-recorded musical entertainment.~~

(b) ~~*Boundaries.* The area for which these regulations apply shall be located between 900 and 1090 Ocean Drive on Miami Beach. The legal description for this area is as follows:~~

~~Lots 1 through 8, inclusive, block 14; and lots 1 through 8, inclusive, block 15, Ocean Beach Addition No. 2, as recorded in plat book 2, page 56, public records of the county.~~

(c) ~~*Limitation on noise volume.*~~

(1) ~~For purposes of enforcement of this article, the following definition of "unreasonably loud" shall apply for all noises originating within the area as described in subsection (b) of this section:~~

~~Uninvited noise shall be deemed unreasonably loud if it is plainly audible inside a residential receiving property or part thereof at a distance greater than 50 feet away from the property line of the sound source or is plainly audible inside a place of business or part thereof at a distance greater than 100 feet away from the~~

~~property line of the sound source. For purposes of enforcement of this section, measurements of distance from a sound source to a receiving property shall be measured in a straight line from the property line of the sound source to the residence or place of business which is the receiving property. The measurement~~

~~will begin at that point on the property line of the sound source nearest to the receiving property.~~

~~(2) All procedures for enforcement of violations of the noise limitations in subsection (c)(1) of this section and for appeals of notices of violations issued by code inspectors shall be as set forth in this article.~~

~~(d) No variances granted. No variances shall be granted from the permissible volume limitations set forth in subsection (c) of this section.~~

~~(e) Applicability of zoning provisions. The regulations set forth in this section shall be supplementary to all other provisions, and zoning regulations shall continue to apply within the area.~~

**SECTION 5.** That Section 46-155 of Article IV of Chapter 46 of the Miami Beach City Code is hereby repealed.

**Sec. 46-155. Additional sound limitations for public property. Repealed.**

~~No person shall, on any public street or sidewalk, beach or park use, operate or play any radio, phonograph, stereo set, tape or CD player, television, sound amplifier, or other electronic audio device that produces or reproduces amplified sound, at a level that is plainly audible at a distance of more than ten feet from the sound source.~~

**SECTION 6.** That Section 46-156 of Article IV of Chapter 46 of the Miami Beach City Code is hereby amended as follows:

**Sec. 46-156. Temporary permits.**

(a) The city manager or his designee is authorized to issue a temporary permit to allow noise prohibited by sections 46-152 and 46-155 when produced by a temporary use or activity that does not significantly endanger the health, safety or welfare of the neighborhood. The city manager or his designee may prescribe any reasonable conditions necessary to minimize any adverse effect upon the community. A permit granted under this article shall contain all conditions upon which the permit has been granted, including the period of time for which the permit has been granted. Such relief may be granted in the following situations:

(1) *Code compliance in progress.* When an applicant is utilizing best efforts to comply with the noise restrictions in this article, but additional time is required for the applicant to modify his activity to comply and no reasonable alternative is available to the applicant, such permits may be granted for a period of time not to exceed ten days.



- (2) *Construction.* When construction activities pursuant to a valid building permit cannot be carried out in a manner which would comply with sections 46-152 and 46-155; provided that all equipment shall be operated in accordance with manufacturer's specifications, shall be in good repair and shall utilize all noise baffling methods as specified by the manufacturer, and further provided that such activities shall occur only as follows:
- a. Between the hours of 7:30 a.m. and 6:30 p.m. and between the hours of 7:30 a.m. and 7:30 p.m. during daylight savings time, on any day in areas zoned as CCC, GU, I-1, MR, CPS-1, CPS-2, CPS-3, CPS-4, RO, WD-1, WD-2, GC, HD, MXE, CD-1, CD-2 and CD-3.
  - b. Between the hours of 8:00 a.m. and 6:00 p.m. on weekdays and 10:00 a.m. and 4:00 p.m. on Saturdays in areas zoned as RM-1, RM-2, RM-3, RM-PRD, RPS-1, RPS-2, RPS-3, RPS-4, RMPS-1, RS-1, RS-2, RS-3, RS-4, TH and in any exclusively residential zoning district not otherwise specified in this subsection, or within three hundred feet of any of these zoning districts. No construction shall be permitted on Sundays or on national holidays.

Notwithstanding the provisions set forth in subsections (a)(2)a and b of this section, the ~~building official~~ City Manager or his designee may authorize any construction activity at a particular site within a zoning district set forth in subsection (a)(2)a of this section earlier than 7:30 a.m. Under emergency circumstances only, the building official may authorize any necessary construction activities earlier than 8:00 a.m. and/or later than 4:00 p.m. on any day within a zoning district set forth in subsection (a)(2)b of this section. The work authorized by the building official pursuant to this subsection may be conditioned upon notice to surrounding property owners and tenants. Such permits may be granted for a period of time not to exceed three consecutive days.

- (3) *Special events and film and print permits.* A film permit issued pursuant to section 12-1, or a special event permit issued pursuant to section 12-5 may be exempted from the requirements of section 46-152 upon specific compliance with sections 12-1(9) or 12-5(8), as applicable. ~~When the applicant seeks to hold a special event or film and print production, or other activity, and has met all of the city's requirements for obtaining such permit as set forth in applicable regulations, resolutions or ordinances and the activity or special event cannot be performed or held in a manner that would comply with sections 46-152 and 46-155. Except for special events and film and print productions, such permits may be issued for a period of time not to exceed three days. In lieu of a separate permit issued hereunder, the special event or film and print permit may include the authorization and conditions contemplated hereunder. See section 12-1, for film and print production permits, or section 12-5, for special events.~~

- (b) Failure to comply with any condition of a temporary permit issued pursuant to this section shall constitute a violation and shall result in enforcement procedures and penalties as set forth in sections 46-158, 46-159 and 46-160.

**SECTION 7.** That Section 46-157 of Article IV of Chapter 46 of the Miami Beach City Code is hereby amended as follows:

**Sec. 46-157. Exemptions.**

The following uses and activities shall not constitute unnecessary and excessive noises prohibited in section 46-152 ~~be exempt from the requirements of sections 46-152 and 46-155 and from the enforcement procedures in this article:~~

- (1) Cries for emergency assistance and warning calls.
- (2) Radios, sirens, horns and bells and other sounds created by police, fire and other emergency response vehicles.
- (3) Parades, fireworks displays, ~~special events~~ and other activities for which a permit has been obtained from the city, pursuant to section 46-156, within such hours and in accordance with such restrictions as may be imposed as conditions for the issuance of the permit.
- (4) Activities on or in municipal ~~and school athletic~~ facilities and on or in publicly owned property and facilities, when such activities have been authorized by the public authority owning the properties or facilities or their agents; except where such publicly owned properties are under private operation or use, ~~pursuant to a lease or concession agreement.~~
- (5) Fire alarms and burglar alarms, bells and chimes of churches or other religious institutions; however, false burglary alarms shall be subject to enforcement procedures and penalties as set forth in article II of chapter 42.
- (6) Locomotives and other railroad equipment and aircraft, to the extent that city regulation is preempted by federal law.
- (7) Noises resulting from emergency work.
- (8) Any noise resulting from activities of a temporary duration permitted pursuant to section 46-156.
- (9) Noise generated by motor vehicles as defined in F.S. § 320.01 when operated and equipped in accordance with requirements set forth in the Florida Statutes.

- (10) Noise resulting from the operation of vessels when operated in compliance with the decibel limitations in F.S. § 327.65. However, noise exceeding the limitations set forth in F.S. § 327.65 shall be subject to enforcement and penalties as set forth in F.S. ch. 327.
- (11) ~~Noises emanating from the unamplified conversations of persons on the public streets and sidewalks.~~ Live or amplified sound projecting east of the east property line from each property from 1<sup>st</sup> Street to 5<sup>th</sup> Street on the east side of Ocean Drive, from 5<sup>th</sup> Street to 15<sup>th</sup> Street on the west side of Ocean Drive, on the east side of Collins Avenue from 15<sup>th</sup> Street to 73<sup>rd</sup> Street, on the west side of Ocean Terrace from 73<sup>rd</sup> to 75<sup>th</sup> Streets, and the east side of Collins Avenue from 76<sup>th</sup> to 87<sup>th</sup> Streets. This exemption shall only apply to that area located east of the violating property and between its north and south property boundaries and where there is no building or structure on the adjacent property to the east unless the adjacent building or structure is owned by the violator. Any noise generated by a property that is outside of this area shall be subject to the enforcement provisions of this article.

**SECTION 8.** That Section 46-158 of Article IV of Chapter 46 of the Miami Beach City Code is hereby amended as follows:

**Sec. 46-158. Enforcement by code inspectors; notice of violation; warnings.**

- (a) Notice of Violation. ~~If a code inspector receives a complaint from a complainant regarding a violation of its article, he shall investigate the complaint and determine whether the violation exists.~~ If the code inspector then observes a violation of this article, in response to a complaint, the inspector shall issue a notice of violation to the violator, except as otherwise provided in subsection (b), and inform the violator that he must immediately cease the violation and that the violator will be subject to additional penalties if the violation continues and that issue a notice of violation will be issued to the violator as provided in Chapter 30 of this Code. The notice shall inform the violator of the:

- (1) Name of the violator.
- (2) Date and time of violation.
- (3) Nature of the violation.
- (4) Amount of fine or other penalty for which the violator may be liable pursuant to section 46-159 of this Code or as otherwise provided by law.
- (5) Instructions and due date for paying the fine.

- (6) Notice that the violation may be appealed by filing a written request for an administrative hearing with the clerk of the special master within ten days after service of the notice of violation, for requesting an administrative hearing, that failure to do so shall constitute an admission of the violation and waiver of the right to a hearing, and that unpaid fines will result in the imposition of liens which may be foreclosed by the city.

The notice shall also inform the violator that repeat violations of this article will result in the imposition of larger fines and may also result in revocation, suspension, or the imposition of restrictions on an occupational license, and/or certificate of use, or accessory use, and/or injunctive proceedings as provided by law. The notice shall be signed by the code inspector who witnessed the violation.

(b) Warnings.

(1) Oral Warnings

If a code inspector observes a violation of this article without a complaint having been made, the inspector may first issue an oral courtesy warning and inform that the violator will be subject to penalties if the violation continues.

(2) Written Warnings

In the following circumstances, a code inspector shall first issue one written warning to immediately cease the violation prior to issuing a notice of violation:

- a. On six different days in one year; and
- b. On one day during certain Major Event Periods as designated annually by the City Manager.

The written warning shall be substantially in the same form as the notice of violation as stated in section 46-158 (a) above. Failure to correct the violation within fifteen minutes following the issuance of a warning, shall result in the issuance of a notice of violation pursuant to this Article. The holder of the occupational license for the premises where a violation or warning is issued shall have the responsibility to keep the City advised of the current address of the owner of the premises. A final warning shall mean the warning preceding a notice of violation. A person who has received a final warning may appeal the issuance of the final warning to the Special Master. If the Special Master finds that no violation occurred, the final warning shall be voided.

A Code Inspector shall not issue a warning, and instead shall issue a notice of violation, to any person, entity or establishment who: 1) in any one day has already been issued a written warning as specified in 46-158 or 2) in any one year period has exceeded any of the warning limits specified in 46-158 (b).

**SECTION 9.** That Section 46-159 of Article IV of Chapter 46 of the Miami Beach City Code is hereby amended as follows:

**Sec. 46-159. Civil ~~f~~Fines and penalties for violation; appeals; alternate means of enforcement.**

(a) Civil ~~f~~Fines and penalties. The following civil fines and penalties shall be imposed for violations of this chapter:

- (1) First offense, \$250.00 fine.
- (2) Second offense within one year, \$1,000.00 fine.
- (3) Third offense within one year, \$2,000.00 fine.
- (4) Fourth offense within one year, one weekend (Noon Friday through noon Monday) occupational license conditions and/or accessory use restrictions shall be imposed limiting the ability to produce any live or amplified sound at that portion of the premise that caused the violation, in addition to a \$3,000.00 fine.
- (5) Fifth offense within one year, two weekend (noon Friday through noon Monday) occupational license conditions and/or accessory use restrictions shall be imposed limiting the ability to produce any live or amplified sound at that portion of the premise that caused the violation, in addition to a \$5,000.00 fine.

~~For purposes of this section, "offense" shall mean a notice of violation that has not been contested timely or a finding of violation by a special master following the appeal of a violation.~~ A person may receive a separate notice of violation once every hour if a violation has occurred at any time within that period. Each ~~notice of~~ violation shall constitute a separate offense for which a separate fine ~~may~~ shall be imposed. An offense shall be deemed to have occurred on the date the violation occurred. License suspensions or accessory use restrictions pursuant to this section shall be imposed by order of the Special Master after finding an offense warranting suspension or restriction has occurred.

(b) A violator who has been served with a notice of violation shall elect either to:

- (1) Pay the civil fine in the manner indicated on the notice; or
- (2) File a written request Request for an administrative hearing before a special master to appeal the decision of the code inspector that resulted in the issuance of the notice of violation. The written request shall be submitted to the clerical staff of the special master no later than ten (10) days of service of the notice of violation, and shall be accompanied by a \$75 appeal fee. The fee may be returned to the violator if the special master rules in favor of the violator. All disputes regarding proper notice of the violation and timeliness of the appeal shall be heard by the special master prior to any hearing on the merits of the violation itself.

(c) The procedures for appeal of the notice of violation shall be as set forth in sections ~~402-384 and~~ 102-385. A courtesy mail notice ~~shall~~ may be provided to the complainant of any hearing regarding the notice of violation, and the complainant may testify at such

hearings. Failure to give such notice shall not be a cause for continuance or cancellation of any scheduled hearing of the matter. Only two continuances, for no longer than 20 days each, shall be granted by the Special Master for an appeal any administrative hearing unless the alleged offender, at a hearing on a motion for continuance, establishes by testimony, and/or other evidence, that good cause exists for a further continuance. If the special master finds that a violation has occurred, the applicable penalty set forth in §46-159(a) shall be imposed.

- (d) ~~If the named violator after notice fails to pay the civil fine or fails to timely request an administrative hearing before a special master, the special master shall be informed of such failure by report from the code inspector.~~ Failure of the named violator to appeal the decision of the code inspector within the prescribed time period shall constitute a waiver of the violator's right to administrative hearing before the special master. A waiver of the right to an administrative hearing shall be treated as an admission of the violation and penalties ~~may~~ shall be assessed accordingly. In the event of a fourth or fifth offense, and following notification by the code inspector of the violator's failure to timely request an administrative hearing, the special master shall enter an order setting the time during which conditions shall be imposed on the violator's occupational license or, as applicable, the accessory uses shall be restricted. Such conditions or restrictions shall begin no later than 30 days after entry of the order by the special master.
- (e) Any party aggrieved by the decision of a Special Master may appeal that decision to a court of competent jurisdiction as provided in F.S. § 162.11 and section 30-77 of this Code.
- (f) The city may institute proceedings in a court of competent jurisdiction to compel payment of civil fines. A certified copy of an order imposing a civil fine or city bill for penalties due under this section may be recorded in the public records and thereafter shall constitute a lien upon any other real or personal property owned by the violator and it may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgment except for enforcement purposes. After two months from the filing of any such lien that remains unpaid, the city may foreclose or otherwise execute on the lien. All costs and attorneys fees incurred by the City for collecting any fine shall be paid by the violator.
- (g) As an alternative or additional means of enforcement, the city may institute proceedings to revoke or suspend an occupational license and/or certificate of use or seek injunctive relief ~~as set forth in section 46-158.~~
- (h) ~~Furthermore, i~~ In cases of recurring habitual violations or offenses, the code inspector City Manager may issue a citation an administrative complaint for prosecution before the special master suspension or revocation of an occupational license and certificate of use as provided in this chapter wherein Section 102-383. uUpon a finding of habitual violations or offenses by the special master City Manager, an per diem fine occupational license suspension, revocation and/or fine shall may be imposed. Suspensions shall be

imposed with restrictions limiting the ability to provide any live or amplified sound as either a condition of the occupational license or as an accessory use restriction. In the event the violator is a hotel, motel, condominium, apartment or other residential property, accessory use restrictions shall be imposed in lieu of an occupational license revocation which results in the eviction of residents. Additionally, in the event of a revocation, as a condition of being permitted to resume operation under the occupational license, the City Manager shall utilize the criteria set forth in Section 142-1362 of this Code to impose such conditions or restrictions as deemed appropriate to assure the licensed property compliance with all City Codes. A violation shall be considered recurring when a person or entity has received three notices of violation within a period of one month.

In determining the length of the suspension or accessory use restriction to be imposed under this subsection, the City Manager shall consider the following factors: the gravity of the violations or offenses; any actions taken by the violator to correct the violations or offenses; and, any previous violations or offenses committed by the violator. No suspension or accessory use restriction imposed under this subsection shall be for a period of time of less than 30 consecutive days.

In the event a habitual violator does not hold an occupational license or certificate of use, the Special Master shall impose a fine up to \$5,000.00 per violation.

- (i) Any fine imposed under this Article shall become a lien pursuant to the procedures of sections 30-74 and 30-75 of this code.
- (j) In addition, in the event a violator refuses to comply with a notice of violation issued under section 46-158, a violator may be punished by imprisonment not to exceed 60 days or by imposition of a fine not to exceed \$500.00 per offense or both.
- (k) Nothing herein shall restrict the powers and authority granted to the various boards and committees of the city, including the imposition of conditions and sanctions not specifically enumerated in this article.
- (l) Nothing herein shall be deemed to modify existing applicable State, County or City building and fire codes, ordinances, laws or regulations.
- (m) A nolle prosequi, or any other decision made by the City not to prosecute a notice of violation, must be based upon good cause and issued in writing in a public record.

**SECTION 10.** That Section 46-161 of Article IV of Chapter 46 of the Miami Beach City Code is hereby amended as follows:

**Sec. 46-161. Motor vehicle alarms.**

- (a) Definition. The following term shall have the following meaning for purposes of this section: "alarm system" shall mean a motor vehicle siren or horn alarm system contained

in or appurtenant to a motor vehicle, designed to activate and sound in the event of a break-in or attempted break-in of the vehicle.

- (b) It shall be unlawful for any motor vehicle equipped with an alarm system to activate and emit a siren or horn noise, audible at a distance of 100 feet intermittently or continuously within a period in excess of 30 15 minutes ~~between the hours of 11:00 p.m. and 7:00 a.m.~~. Any person who has custody of any such offending motor vehicle shall be deemed in violation of this section.
- (c) A violation of this section on the public streets or areas within the city is hereby declared a public nuisance which may be abated by the removal of such vehicle upon authorization of a law enforcement officer. Prior to removing such vehicle, the law enforcement officer shall afford the owner or custodian of such vehicle the opportunity to disconnect or deactivate the alarm system at the scene. Otherwise, the vehicle shall be removed to an authorized facility. The law enforcement agency shall ascertain the name and address of the registered owner of such vehicle and provide written notice by certified mail, return receipt requested, within 24 hours of such removal, the reason(s) for the removal, and the place where such vehicle has been removed. The fees assessed for the removal of the vehicle may be appealed by filing a complaint in the county court and posting with the court a cash or surety bond or security equal to the amount for the removal and/or storage of the vehicle to ensure the payment of such in the event the owner or custodian of the vehicle does not prevail.
- (d) A violation of this section on private property shall cause the person who owns or has custody of the offending vehicle to be fined \$50.00. Any duly designated law enforcement officer and/or code enforcement officer is authorized and empowered to enter without force upon private property in order to detect and issue a citation or notice of violation to and upon the owner or custodian of the offending motor vehicle. A copy of the citation or notice of violation may also be left on the offending vehicle and shall constitute notice. The citation or notice of violation may be appealed in accordance with the procedures set forth in sections 102-384 and 102-385 and chapter 30 of this Code.
- (e) It shall not be a violation of this section if it is determined by the law enforcement officer and/or code enforcement officer that the siren or horn noise has been triggered by the unauthorized opening of the hood, truck or door(s) of the vehicle, by the breaking or attempted breaking of a window or by lightning, thunderstorms, or severe weather conditions.

## **SECTION 11. CODIFICATION**

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.



**SECTION 12. REPEALER**

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 13. SEVERABILITY**

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

**SECTION 14. EFFECTIVE DATE**

PASSED and ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2005.

This Ordinance shall take effect on the \_\_\_\_ day of \_\_\_\_\_, 2005.

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

My [Signature] 1-6-06  
City Attorney Date

# CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY** given that public hearings will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, January 11, 2006**, to consider the following:

## 10:15 a.m.

An Ordinance Amending Ordinance No. 1605, The Unclassified Employees Salary Ordinance, By Establishing The Classifications Of Bicycle Program Coordinator, Case Worker II, Chief Building Code Compliance Officer, Chief Fire Protection Analyst, Community Information Coordinator, Emergency Management Coordinator, Environmental Resources Manager, Film & Event Production Manager, Grants And Operations Administrator, Labor Relations Director, Labor Relations Specialist, Landscape Projects Coordinator, Management Consultant, Media Assistant, Neighborhood Services Projects Administrator, Park Facility Manager, Radio Systems Administrator, Senior Management Consultant, Senior Network Administrator, Senior Systems Analyst, Senior Systems Administrator, Senior Telecommunications Specialist, Systems Administrator, Systems Analyst, Telecommunications Specialist, Traffic Engineer, Transportation Manager, Truancy Prevention Program Coordinator, Urban Forester, And Voip Network Administrator; Amending The Title And Grade Of The Classification Of Labor Relations Director And Grades Of The Classifications Of Network Administrator, Procurement Coordinator And Senior Procurement Specialist.

Inquiries may be directed to the Human Resources Department at (305) 673-7520.

## 10:20 a.m.

An Ordinance Amending Division 2, Entitled "The Barrier-Free Environment Committee"; Amending Section 2-31 Entitled "Established; Purpose; Composition" By Changing The Committee's Name To "Disability Access Committee".

Inquiries may be directed to the Public Works Department at (305) 673-7080.

## 10:25 a.m.

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 118, "Administration And Review Procedures," Article VI, "Design Review Procedures" By Clarifying The Scope Of Review Of The Design Review Board As It Pertains To Single Family Homes And Townhomes.

Inquiries may be directed to the Planning Department at (305) 673-7550.

## 5:01 p.m.

An Ordinance Amending Chapter 46 Of The City Code, Entitled "Environment," By Amending Article IV, Entitled "Noise," By Amending Section 46-151, Entitled "Definitions," To Provide New Terms And Definitions And Deleting Certain Terms And Definitions; Amending Section 46-152, Entitled "Unreasonably Loud Noise Prohibited," By Amending The Title And Adopting Section 21 - 28 Of The Code Of Miami-Dade County By Reference; Amending Section 46-153, Entitled "Responsibility For Compliance," By Amending The Provisions Thereof; Repealing Section 46-154, Entitled "Noise Level In Specific Area"; Repealing Section 46-155, Entitled "Additional Sound Limitations For Public Property"; Amending Section 46-156, Entitled "Temporary Permits," By Expanding The Prohibited Areas For Construction Noise To Within 300 Feet Of Certain Districts And Amending The Exemptions For Special Events And Film Permits; Amending Section 46-157, Entitled "Exemptions," And By Deleting Subsection (11) And Amending The Provisions Thereof; Amending Section 46-158, Entitled "Enforcement By Code Inspectors; Notice Of Violation," By Amending The Procedures For Enforcement And Warnings; Amending Section 46-159, Entitled "Civil Fines For Violation; Appeals," By Amending The Fines And Penalties For Violations, The Appeal Procedures, And The Alternate Means Of Enforcement; Amending And Renumbering Section 46-160, Entitled "Nuisance," As Section 46-161, And Renaming Section 46-160 As "Relief From Violations For Sound Systems And Compliance" And Creating Provisions Therefore; Amending And Renumbering Section 46-161, Entitled "Motor Vehicle Alarms" As Section 46-162 Which Is Hereby Created.

Inquiries may be directed to the City Manager's Office at (305) 673-7010.

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. Copies of these ordinances are available for public inspection during normal business hours in the City Clerk's Office, 1700 Convention Center Drive, 1st Floor, City Hall, and Miami Beach, Florida 33139. This meeting may be continued and under such circumstances additional legal notice would not be provided.

Robert E. Parcher, City Clerk  
City of Miami Beach

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact (305) 604-2489 (voice), (305) 673-7218 (TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

Ad #349



# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: Murray H. Dubbin, City Attorney

CC: City Manager Jorge M. Gonzalez

DATE: January 11, 2006

SUBJECT: Amendment to the Shapiro Ordinance

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82, "PUBLIC PROPERTY," ARTICLE II, "SALE OR LEASE OF PUBLIC PROPERTY," SECTIONS 82-36 THROUGH 89-40, TO EXPAND THE APPLICABILITY OF THE ORDINANCE TO INCLUDE VACATIONS OF EASEMENTS, ALLEYS, RIGHTS-OF-WAY, OR ANY OTHER CONVEYANCE OR REDUCTION OF THE CITY'S INTEREST IN REAL PROPERTY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

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The attached ordinance was prepared and placed on the agenda at the request of Commissioner Steinberg, according to his memorandum attached, dated December 29, 2005.

MHD/GMH

Agenda Item RSE  
Date 1-11-06

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82, "PUBLIC PROPERTY," ARTICLE II, "SALE OR LEASE OF PUBLIC PROPERTY," SECTIONS 82-36 THROUGH 89-40, TO EXPAND THE APPLICABILITY OF THE ORDINANCE TO INCLUDE VACATIONS OF EASEMENTS, ALLEYS, RIGHTS-OF-WAY, OR ANY OTHER CONVEYANCE OR REDUCTION OF THE CITY'S INTEREST IN REAL PROPERTY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.**

**WHEREAS**, the Code of the City of Miami Beach provides specific procedures for the sale or lease of public property in Chapter 82; and

**WHEREAS**, the City Commission believes that the ordinance should apply to vacations of easements, alleys, rights-of-way or any other conveyance or reduction of the city's interest in real property.

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:**

**SECTION 1.** That Miami Beach City Code Chapter 82, "Public Property," Article II. Sale or Leases of Public Property," Sections 82-36 through 82-40, be amended as follows:

**Sec. 82-36. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*City property* includes but is not limited to any land, water or air rights.

*Lease of city property* means any right to lease city property by way of agreement, irrespective of consideration being paid to the city, and irrespective of the city's also utilizing or being allowed to utilize the property for any purpose during the term of the lease. For purposes of this article, the term "lease" shall not include special event permits, revokable permits or concession agreements, convention center or T.O.P.A. use agreements, or leases for a term of not more than one year, including option periods.

*Sale of city property* means any conveyance, transfer, gift, exchange or other transaction in which legal title passes from the city to any person or entity, whether or not the city retains any partial title, interest, reservation, easement, right-of-way, restriction or license in regard to the property. "Sale" shall include vacations of easements, alleys, rights-of-way or any other conveyance or reduction of the City's interest in real property.

shall include vacations of easements, alleys, rights-of-way or any other conveyance or reduction of the City's interest in real property.

(Ord. No. 92-2783, § 1, 6-17-92)

Cross references: Definitions generally, § 1-2.

**Sec. 82-37. Hearing.**

Prior to the sale and/or lease of city property, the city commission shall hold a public hearing, advertised not less than 15 days prior to the hearing, in order to obtain citizen input into any proposed sale and/or lease.

(Ord. No. 92-2783, § 2, 6-17-92)

**Sec. 82-38. Analysis.**

In order for the city commission and the public to be fully apprised of all conditions relating to the proposed sale and/or lease of city property, the planning, design and historic preservation divisions shall prepare an analysis using the following criteria:

- (1) Whether or not the proposed use is in keeping with city goals and objectives and conforms to the city comprehensive plan.
- (2) The impact on adjacent property, including the potential positive or negative impacts such as diminution of open space, increased traffic, noise level or enhanced property values, improved development patterns and provision of necessary services. Based on the proposed use of the property, the city shall determine the potential impact of the project on city utilities and other infrastructure needs and the magnitude of costs associated with needed infrastructure improvements. Should it become apparent that further evaluation of traffic impact is needed, the proponent shall be responsible for obtaining a traffic impact analysis from a reputable traffic engineer.
- (3) A determination as to whether or not the proposed use is in keeping with a public purpose and community needs, such as expanding the city's revenue base, reducing city costs, creating jobs, creating a significant revenue stream, and improving the community's overall quality of life.
- (4) Determination as to whether or not the development is in keeping with the surrounding neighborhood, will block views or create other environmental intrusions, and evaluation of the design and aesthetic considerations of the project.
- (5) The impact on adjacent properties, whether or not there is adequate parking, street and infrastructure needs.
- (6) A determination as to whether or not alternatives are available for the proposed disposition, including assembly of adjacent properties, and whether the project could be accomplished under a private ownership assembly.

(7) Within the constraints of public objectives, the department should examine financial issues such as job generation, providing housing opportunities, and the return to the city for its disposition of property.

(8) Such other issues as the planning, design and historic preservation division may deem appropriate in analysis of the proposed disposition.

(Ord. No. 92-2783, § 3, 6-17-92)

**Sec. 82-39. Advertised public bidding process.**

There shall be no sale or lease of city property unless there has been an advertised public bidding process. In addition, the sale or lease shall comply with all requirements of state, county and city laws and regulations. For any sale or lease of city property there shall also be an independent appraisal of the fair market or rental value of the property. The appraiser must be experienced in determining a reasonable return for projects of a public/private joint venture nature. Should the purchaser or lessee be unwilling to pay the cost of such appraisal, then any such cost may be deducted from a bid bond or similar deposit made in a bid process. The appraisal shall include a determination of the value of the property based on proposed and possible uses thereof by a recipient of title thereto. In regard to all leases of more than five years, including option periods, the conditions of this section, and in regard to leases of five years or less, including option periods, the conditions of this section, and section 82-37, may be waived by a five-sevenths vote of the city commission upon a finding by the city commission that the public interest would be served by waiving such conditions. In regard to any sale, the conditions of only this section may be waived upon a five-sevenths vote of the city commission upon a finding by the city commission that the public interest would be served by waiving such conditions of bidding and/or appraisal for the disposition of the property.

(Ord. No. 92-2783, § 4, 6-17-92)

**Sec. 82-40. Payment of costs.**

All costs associated with the sale or lease procedures addressed in this article shall be, at the option of the city, paid by the purchaser or lessee.

(Ord. No. 92-2783, § 5, 6-17-92)

Secs. 82-41--82-70. Reserved.

**SECTION 2. REPEALER.**

All ordinances or parts of ordinances and all sections and parts of sections in conflict herewith be and the same are hereby repealed.

**SECTION 3. INCLUSION IN CODE OF THE CITY OF MIAMI BEACH, FLORIDA.**

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

**SECTION 4. SEVERABILITY.**

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

**SECTION 5. EFFECTIVE DATE.**

This Ordinance shall take effect ten days following adoption.



**PASSED and ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney 

1-3-06  
Date

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**Condensed Title:**

Ordinance Amendment Pertaining to Parking Pedestal Design Requirements

**Key Intended Outcome Supported:**

Increase satisfaction with Neighborhood character

**Issue:**

To require that parking pedestals facing streets and waterways be fronted with residential or commercial uses, as applicable.

**Item Summary/Recommendation:**

The subject ordinance requires that all parking pedestals incorporate residential or commercial uses, as applicable, at the ground level along every facade facing a street, sidewalk, waterway or the ocean, as well as residential uses at each level facing the ocean or a waterway. Any parking levels above the first floor that face a street or sidewalk would also be required to incorporate residential or commercial spaces, the quantity and distribution of which would be subject to the Design Review or Historic Preservation Boards, as applicable. For properties not having access to an alley, the required residential or commercial space at ground level shall exclude frontage for entrance and exit drives.

The Administration recommends that the Ordinance be adopted on First Reading and that the City Commission schedule a Second Reading public hearing.

**Advisory Board Recommendation:**

The Historic Preservation Board reviewed the subject Ordinance on November 8, 2005 and recommended approval.

The Design Review Board reviewed the subject Ordinance on November 15, 2005 and recommended approval.

The Planning Board reviewed the subject Ordinance on November 22, 2005 and transmitted it to the City Commission with a favorable recommendation.

**Financial Information:**

Source of Funds:	Amount	Account	Approved
1			
2			
3			
4			
<b>Total</b>			

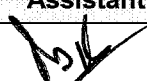
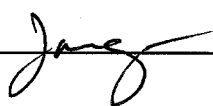
**OBPI**

**Financial Impact Summary:**  
The proposed Ordinance is not expected to have any fiscal impact.

**City Clerk's Office Legislative Tracking:**

Jorge Gomez or Tom Mooney

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
		





# MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: City Manager Jorge M. Gonzalez

DATE: January 11, 2006

FIRST READING

SUBJECT: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 130, "OFF STREET PARKING," ARTICLE III, "DESIGN STANDARDS," TO MODIFY THE REQUIREMENTS FOR COMMERCIAL AND RESIDENTIAL USES IN FRONT OF CERTAIN PORTIONS OF A PARKING GARAGE; BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," BY AMENDING DIVISION 3, "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION II, "RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY," SECTION 142-156 TO MODIFY THE REQUIREMENTS FOR NEW CONSTRUCTION TO REQUIRE RESIDENTIAL USES IN FRONT OF CERTAIN PORTIONS OF A PARKING LOT OR PEDESTAL; BY AMENDING SUBDIVISION IV, "RM-2 RESIDENTIAL MULTIFAMILY MEDIUM INTENSITY," SUBDIVISION V, "RM-3 RESIDENTIAL MULTIFAMILY HIGH INTENSITY," DIVISION 4, "CD-1 COMMERCIAL, LOW INTENSITY DISTRICT," DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," DIVISION 6, "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," AND DIVISION 13, "MXE MIXED USE ENTERTAINMENT DISTRICT," TO ADD NEW SECTIONS SPECIFYING REQUIREMENTS FOR RESIDENTIAL USES OR COMMERCIAL SPACE IN FRONT OF CERTAIN PORTIONS OF A PARKING LOT OR PEDESTAL; BY AMENDING DIVISION 18, "PERFORMANCE STANDARD DISTRICT," SECTION 142-695, TO ADD NEW REQUIREMENTS FOR RESIDENTIAL USES OR COMMERCIAL SPACE IN FRONT OF CERTAIN PORTIONS OF A PARKING LOT OR PEDESTAL; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.**

### ADMINISTRATION RECOMMENDATION

Adopt the proposed Ordinance on First Reading and schedule a Second Reading Public Hearing.

### ANALYSIS

Recently, the Historic Preservation Board adopted a Resolution urging the City Commission to modify the Land Development Regulations of the City Code to require that all portions of parking pedestals facing public rights-of-way, the ocean or the bay, be lined with residential units. The Land Use and Development Committee considered the request of the Historic Preservation Board and recommended that the Full Commission transmit an Ordinance to the Planning Board.

The subject ordinance requires that all parking pedestals incorporate residential or commercial uses, as applicable, at the ground level along every facade facing a street, sidewalk, waterway or the ocean, as well as the upper levels of those facades facing a waterway. For properties not having access to an alley, the required residential or commercial space at ground level shall exclude frontage for entrance and exit drives.

The purpose of the proposed Ordinance is to address existing shortcomings in the current code as it pertains to portions of parking pedestals that front sidewalks, rights-of-way and waterfronts. In this regard a number of projects have been approved over the last few years, as well as recently, with parking pedestals that are inappropriately screened and programmed on the street and waterfront elevations. These structures fail to respond to the built context of their surroundings as they consist of monolithic buildings with bright lighting fixtures, large openings and unsightly visual blight.

The subject Ordinance proposes to codify what has been a standard recommendation of Planning Department staff for new development projects, and a standard that has been applied on a fairly consistent basis by the City's development review boards. Specifically, the proposed Ordinance would require that those portions of a parking pedestal or a parking garage that face a street, sidewalk or waterway (including the ocean) at the ground level be clad with active programming such as residential or office uses, as applicable.

In order to address unique situations and extenuating circumstances, such as the construction of a public parking garage or odd shaped lots, the Planning Board slightly modified the original draft of the Ordinance. In this regard, those portions of a parking pedestal facing a street or sidewalk above the first level would incorporate a residential or commercial component, but the quantity and distribution of such uses would be left to the discretion of the Design Review or Historic Preservation Boards, as applicable. For those floors above the first level that face the ocean or a waterway, residential uses would still be mandatory.

This Ordinance amendment will assure that new infill construction is contextually compatible with the built character of its immediate area. Additionally, it will help reduce the sometimes overbearing size of large pedestals, as well as reduce the height of development projects by requiring that portions of a structure that would normally be located above a pedestal now be placed within the pedestal, thus lowering the overall height of new buildings while having no impact on the maximum FAR for a site.

These modifications clarify the relevant development regulation sections for all commercial and multi-family zoning districts in the Land Development Regulations and will assist individuals who are reading the code for the first time in order to ascertain specific development rights and requirements.

The Design Review Board reviewed the subject Ordinance on November 15, 2005 and recommended approval and the Historic Preservation Board reviewed the subject Ordinance on November 8, 2005.

The Planning Board reviewed the subject Ordinance on November 22, 2005 and transmitted it to the City Commission with a favorable recommendation. The Planning Board recommended that the following be included in the subject Ordinance:

1. Residential or commercial uses, as applicable, shall be required at the first level along every facade facing a street, sidewalk or waterway.

2. Residential or commercial uses, as applicable, shall be required above the first level along every facade facing a waterway.
3. All facades above the first level, facing a street or sidewalk, shall include residential or commercial uses, the total amount of which shall be subject to the Design Review or Historic Preservation Board, as applicable.

#### **FISCAL IMPACT**

The proposed Ordinance is not expected to have any fiscal impact.

#### **CONCLUSION**

The Administration recommends that the City Commission approve the proposed Ordinance on First Reading and schedule a Second Reading Public Hearing.

Pursuant to Section 118-164(4) of the City Code, an affirmative vote of five-sevenths shall be necessary in order to enact any amendments to the Land Development Regulations.

JMG/TH/JGG/TRM

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**PARKING PEDESTAL DESIGN REQUIREMENTS**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 130, "OFF STREET PARKING", ARTICLE III, "DESIGN STANDARDS", TO MODIFY THE REQUIREMENTS FOR COMMERCIAL AND RESIDENTIAL USES IN FRONT OF CERTAIN PORTIONS OF A PARKING GARAGE; BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS", ARTICLE II, "DISTRICT REGULATIONS", BY AMENDING DIVISION 3, "RESIDENTIAL MULTIFAMILY DISTRICTS", SUBDIVISION II, "RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY", SECTION 142-156 TO MODIFY THE REQUIREMENTS FOR NEW CONSTRUCTION TO REQUIRE RESIDENTIAL USES IN FRONT OF CERTAIN PORTIONS OF A PARKING LOT OR PEDESTAL; BY AMENDING SUBDIVISION IV, "RM-2 RESIDENTIAL MULTIFAMILY MEDIUM INTENSITY", SUBDIVISION V, "RM-3 RESIDENTIAL MULTIFAMILY HIGH INTENSITY", DIVISION 4, "CD-1 COMMERCIAL, LOW INTENSITY DISTRICT", DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT", DIVISION 6, "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT", AND DIVISION 13, "MXE MIXED USE ENTERTAINMENT DISTRICT", TO ADD NEW SECTIONS SPECIFYING REQUIREMENTS FOR RESIDENTIAL USES OR COMMERCIAL SPACE IN FRONT OF CERTAIN PORTIONS OF A PARKING LOT OR PEDESTAL; BY AMENDING DIVISION 18, "PERFORMANCE STANDARD DISTRICT", SECTION 142-695, TO ADD NEW REQUIREMENTS FOR RESIDENTIAL USES OR COMMERCIAL SPACE IN FRONT OF CERTAIN PORTIONS OF A PARKING LOT OR PEDESTAL; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

**WHEREAS**, the City of Miami Beach (City) places a strong emphasis on the protection, enhancement and retention of the established architectural scale, character and context of the City's multifamily and mixed-use zoning districts; and

**WHEREAS**, the City Commission has deemed it in the best interest and welfare of the City to have procedures for the review of new construction within the City's multifamily and mixed-use zoning districts; and

**WHEREAS**, the City Commission has deemed it in the best interest and welfare of the City to adopt procedures to preserve, enhance and protect the unique architectural character and context of the multifamily and mixed-use zoning districts in Miami Beach; and

**WHEREAS**, The City of Miami Beach Historic Preservation, Design Review and Planning Boards strongly endorse the proposed amendments to the Code herein; and

**WHEREAS**, the amendments set forth below are necessary to accomplish all of the

above objectives.

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA.**

**SECTION 1.** That Chapter 130, "Off Street Parking", Article III, "Design Standards", of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended by amending section 130-68 as follows:

Sec. 130-68. Commercial and noncommercial parking garages.

Commercial and noncommercial parking garages as a main use on a separate lot shall be subject to the following regulations, in addition to the other regulations of this article:

(1) When located in the CD-1, CD-2, CD-3, C-PS1, C-PS2, C-PS3, C-PS4 and MXE districts and in GU districts adjacent to commercial districts, a commercial or noncommercial parking garage shall incorporate the following:

- a. Residential or commercial uses at the first level along every facade facing a street, sidewalk, waterway or the ocean. For properties not having access to an alley, the required residential or commercial space shall accommodate entrance and exit drives.
- b. Residential or commercial uses above the first level along every facade facing a waterway or the ocean.
- c. All facades above the first level, facing a street or sidewalk, shall include a substantial portion of residential or commercial uses; the total amount of residential or commercial space shall be determined by the Design Review or Historic Preservation Board, as applicable.

~~have at a minimum, first floor frontage consisting of space which is to be occupied for accessory residential or commercial uses along every facade facing a street, excluding frontage for entrance and exit drives.~~ However, in no instance shall the above described residential or commercial space exceed 25 percent of the total floor area of the structure. Additionally, in no instance shall the amount of floor area of the structure used for parking, exclusive of the required parking for the above described residential or commercial space, be less than 50 percent of the total floor area of the structure, so as to insure that the structure's main use is as a parking garage.

(2) When located in the RM-1, RM-2, RM-3, R-PS1, R-PS2, R-PS3 and R-PS4 districts and the GU districts adjacent to residential districts, the following regulations shall apply:

a. Commercial or noncommercial parking garage shall incorporate the following:

1. Residential or commercial uses, as applicable, at the first level along every facade facing a street, sidewalk, waterway or the ocean. For properties not having access to an alley, the required residential or commercial space shall accommodate entrance and exit drives.
2. Residential uses above the first level along every facade facing a waterway or the ocean.
3. All facades above the first level, facing a street or sidewalk, shall include a substantial portion of residential uses; the total amount of residential space shall be determined by the Design Review or Historic Preservation Board, as applicable.

~~at a minimum be architecturally compatible with the character of the surrounding residential district. Where feasible, residential uses are encouraged on the facades facing a street.~~

b. In addition, the following shall apply:

1. a. When a parking garage is located in the RM-3 or R-PS4 districts, or on Collins Avenue from 25th to 44th Streets, or on West Avenue, south of 11th Street, in an RM-2 district where the subject site is located adjacent to an RM-3 district, such garage may also have first floor frontage with space occupied for commercial uses facing the subject RM-3 area.
2. b. When a parking garage is located in an RM-1 district, where the subject site is abutting a property line or separated by an alley from a CD-3 district, the garage may also serve commercial uses.
3. c. When a parking garage is located in an RM-2 district, where the subject site is fronting on or separated by a street but not an alley or property line from a CD-2 or CD-3 district, such garage may also have first floor frontage with space occupied for commercial uses facing the subject CD-2 or CD-3 area, and also serve commercial uses.
4. d. Any parking structure permitted under (b) and (c) that serve commercial uses shall be restricted to self-parking only. No valet parking shall be allowed.
5. e. At least one third of the parking spaces in any parking structures permitted under (b) and (c), shall be dedicated for residential uses at all times. The planning board may, based upon the projected neighborhood demand, increase or decrease the percentage of residential parking as part of the conditional use process.
6. f. When commercial uses are permitted in the ground floor of parking structures under this subsection (2) dance halls, entertainment establishments, neighborhood impact establishments, outdoor entertainment establishments or open-air entertainment establishments shall be prohibited uses in the garage structure.

In no instance shall the above described combined residential and/or commercial space exceed 25 percent of the total floor area of the structure, with the commercial space not exceeding ten percent of the total floor area of the structure, nor shall any accessory commercial space exceed 40 feet in depth. Additionally, in no instance shall the amount of floor area of the structure used for parking, exclusive of the required parking for the above described residential or commercial space, be less than 50 percent of the total floor area of the structure, so as to insure that the structure's main use is as a parking garage. Signage for commercial uses allowable under this provision are limited to one nonilluminated sign no greater than ten square feet in area per business.

**SECTION 2.** That Chapter 142, "Zoning Districts and Regulations", Article II, "District Regulations", Division 3, "Residential Multifamily Districts", Subdivision II, "RM-1 Residential Multifamily Low Intensity", of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended by amending section 142-156 as follows:

Sec. 142-156. Setback requirements.

\* \* \* \*

(b) In the RM-1, residential district, all floors of a building containing parking spaces shall incorporate the following:

- (1) Residential uses at the first level along every facade facing a street, sidewalk or waterway. For properties not having access to an alley, the required residential space shall accommodate entrance and exit drives.
- (2) Residential uses above the first level along every facade facing a waterway.
- (3) All facades above the first level, facing a street or sidewalk, shall include a substantial portion of residential uses; the total amount of residential space shall be determined by the Design Review or Historic Preservation Board, as applicable.

~~the ground floor level of a building when viewed from shall be screened or enclosed. The method of screening or enclosure shall be approved under the design review process.~~

**SECTION 3.** That Chapter 142, "Zoning Districts and Regulations", Article II, "District Regulations", Division 3, "Residential Multifamily Districts", Subdivision IV, "RM-2 Residential Multifamily Medium Intensity", of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended by adding new section 142-219 as follows:

Section 142-219. Regulations for new construction.

In the RM-2, residential district, all floors of a building containing parking spaces shall incorporate the following:

1. Residential or commercial uses, as applicable, at the first level along every facade facing a street, sidewalk or waterway. For properties not having access to an alley, the required residential space shall accommodate entrance and exit drives.
2. Residential uses above the first level along every facade facing a waterway.
3. All facades above the first level, facing a street or sidewalk, shall include a substantial portion of residential uses; the total amount of residential space shall be determined by the Design Review or Historic Preservation Board, as applicable.

**SECTION 4.** That Chapter 142, "Zoning Districts and Regulations", Article II, "District Regulations", Division 3, "Residential Multifamily Districts", Subdivision V, "RM-3 Residential Multifamily High Intensity", of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended by adding new section 142-248 as follows:

Section 142-248. Additional regulations for new construction.

In the RM-3, residential district, all floors of a building containing parking spaces shall incorporate the following:

1. Residential or commercial uses, as applicable, at the first level along every facade facing a street, sidewalk or waterway. For properties not having access to an alley, the required residential space shall accommodate entrance and exit drives.
2. Residential uses above the first level along every facade facing a waterway.



3. All facades above the first level, facing a street or sidewalk, shall include a substantial portion of residential uses; the total amount of residential space shall be determined by the Design Review or Historic Preservation Board, as applicable.

**SECTION 5.** That Chapter 142, "Zoning Districts and Regulations", Article II, "District Regulations", Division 4, " CD-1 Commercial, Low Intensity District", of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended by adding new section 142-278 as follows:

Section 142-278. Additional regulations for new construction

In the CD-1 district, all floors of a building containing parking spaces shall incorporate the following:

1. Residential or commercial uses, as applicable, at the first level along every facade facing a street, sidewalk or waterway. For properties not having access to an alley, the required residential space shall accommodate entrance and exit drives.
2. Residential or commercial uses above the first level along every facade facing a waterway.
3. All facades above the first level, facing a street or sidewalk, shall include a substantial portion of residential or commercial uses; the total amount of residential or commercial space shall be determined by the Design Review or Historic Preservation Board, as applicable.

**SECTION 6.** That Chapter 142, "Zoning Districts and Regulations", Article II, "District Regulations", Division 5, " CD-2 Commercial, Medium Intensity District", of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended by adding new section 142-308 as follows:

Section 142-308. Additional regulations for new construction

In the CD-2 district, all floors of a building containing parking spaces shall incorporate the following:

1. Residential or commercial uses, as applicable, at the first level along every facade facing a street, sidewalk or waterway; for properties not having access to an alley, the required residential space shall accommodate entrance and exit drives.
2. Residential or commercial uses above the first level along every facade facing a waterway.
3. All facades above the first level, facing a street or sidewalk, shall include a substantial portion of residential or commercial uses; the total amount of residential or commercial space shall be determined by the Design Review or Historic Preservation Board, as applicable.

**SECTION 7.** That Chapter 142, "Zoning Districts and Regulations", Article II, "District Regulations", Division 6, " CD-3 Commercial, High Intensity District", of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby

amended by adding new section 142-339 as follows:

Section 142-339. Additional regulations for new construction.

In the CD-3 district, all floors of a building containing parking spaces shall incorporate the following:

1. Residential or commercial uses, as applicable, at the first level along every facade facing a street, sidewalk or waterway; for properties not having access to an alley, the required residential space shall accommodate entrance and exit drives.
2. Residential or commercial uses above the first level along every facade facing a waterway.
3. All facades above the first level, facing a street or sidewalk, shall include a substantial portion of residential or commercial uses; the total amount of residential or commercial space shall be determined by the Design Review or Historic Preservation Board, as applicable.

**SECTION 8.** That Chapter 142, "Zoning Districts and Regulations", Article II, "District Regulations", Division 13, "MXE Mixed Use Entertainment District", of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended by adding new section 142-550 as follows:

Section 142-550. Additional regulations for new construction.

In the MXE district, all floors of a building containing parking spaces shall incorporate the following:

1. Residential or commercial uses, as applicable, at the first level along every facade facing a street, sidewalk or waterway. For properties not having access to an alley, the required residential space shall accommodate entrance and exit drives.
2. Residential or commercial uses above the first level along every facade facing a waterway.
3. All facades above the first level, facing a street or sidewalk, shall include a substantial portion of residential or commercial uses; the total amount of residential or commercial space shall be determined by the Design Review or Historic Preservation Board, as applicable.

**SECTION 9.** That Chapter 142, "Zoning Districts and Regulations", Article II, "District Regulations", Division 18, "Performance Standard District", of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended by amending section 142-695 as follows:

Section 142-695. Performance standard regulations generally.

(a) No building, structure or land shall be used or occupied except in conformance with the performance standards applicable to the use and subdistrict as set forth in the applicable table of performance standards. The purpose of the performance standards are:

- (1) To provide detailed regulations by means of minimum criteria which must be met by all uses in order to ensure development consistent with the goals and objectives of the comprehensive plan and the redevelopment plan;
- (2) To protect the integrity of the comprehensive plan and the redevelopment plan and the relationships between uses and densities that are essential to the viability of these plans and the redevelopment area; and
- (3) To promote and protect the public health, safety, and general welfare by requiring all development to be consistent with the land use, circulation and amenities components of the redevelopment element of the comprehensive plan and the capital improvements program for the area, as specified in the comprehensive plan.

(b) In the R-PS and RM-PS districts, all floors of a building containing parking spaces shall incorporate the following:

- (1) Residential or commercial uses, as applicable, at the first level along every facade facing a street, sidewalk or waterway. For properties not having access to an alley, the required residential space shall accommodate entrance and exit drives.
- (2) Residential uses above the first level along every facade facing a waterway.
- (3) All facades above the first level, facing a street or sidewalk, shall include a substantial portion of residential uses; the total amount of residential or commercial space shall be determined by the Design Review or Historic Preservation Board, as applicable.

(c) In the C-PS districts, all floors of a building containing parking spaces shall incorporate the following:

- (1) Residential or commercial uses, as applicable, at the first level along every facade facing a street, sidewalk or waterway. For properties not having access to an alley, the required residential space shall accommodate entrance and exit drives.
- (2) Residential or commercial uses above the first level along every facade facing a waterway.
- (3) All facades above the first level, facing a street or sidewalk, shall include a substantial portion of residential or commercial uses; the total amount of residential or commercial space shall be determined by the Design Review or Historic Preservation Board, as applicable.

## **SECTION 10. CODIFICATION.**

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

## **SECTION 11. REPEALER.**

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 12. SEVERABILITY.**

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

**SECTION 13. EFFECTIVE DATE.**

This Ordinance shall take effect ten days following adoption.



**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney 

12-28-05  
Date

First Reading: January 11, 2006  
Second Reading: February 8, 2006

Verified by: \_\_\_\_\_  
Jorge G. Gomez, AICP  
Planning Director

Underscore denotes new language  
12/28/2005

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**Condensed Title:**

An Ordinance amending Article IV, Division 3, Chapter 82 of the City Code entitled "Newsracks."

**Key Intended Outcome Supported:**

Maintain public areas and right-of-ways, improve cleanliness of rights-of-ways and increase satisfaction with neighborhood character.

**Issue:**

Shall the City Commission amend the City Code regulating the permitting, installation and maintenance of newsracks?

**Item Summary/Recommendation:**

When the significantly revised newsrack ordinance was approved on February, 23<sup>rd</sup>, 2005, it was agreed upon that a meeting would be held in six months with citizens and the publishers to discuss any operational problems found after the implementation of the revised ordinance. That meeting was held on September 28<sup>th</sup>, 2005 followed by a Neighborhood/Community Affairs Committee meeting on November 29<sup>th</sup>, 2005. The Committee approved adjusting the annual permit renewal fee from \$35 to \$25 and to allow non-permitted newsracks belonging to unregistered publishers to be removed immediately.

The Administration recommends approving the Ordinance Revision on First Reading and setting a Public Hearing.

**Advisory Board Recommendation:**

Neighborhoods/Community Affairs, November 29, 2005 recommended adjusting the fee and authorizing the removal of non-permitted newsracks belonging to unregistered publishers.

**Financial Information:**

Source of Funds:		Amount	Account	Approved
	1			
	2			
	3			
	4			
OBPI	Total			

**Financial Impact Summary:**

**City Clerk's Office Legislative Tracking:**

R Halfhill X6833

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
FHB	RCM	IMG

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# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: City Manager Jorge M. Gonzalez

DATE: January 11, 2006

SUBJECT: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82, ARTICLE IV, DIVISION 3, THEREOF ENTITLED "NEWSRACKS" BY AMENDING CITY CODE SECTION 82-201 ENTITLED "NOTICE OF VIOLATION REQUEST FOR HEARING" BY AUTHORIZING THE CITY MANAGER, OR DESIGNEE TO IMMEDIATELY REMOVE A NON-PERMITTED NEWSRACK BELONGING TO AN UNREGISTERED PUBLISHER; AMENDING SECTION 82-231 ENTITLED "FEE LETTER OF COMPLIANCE REQUIRED" MODIFYING THE PROCEDURES AND FEES FOR REGISTERING NEWSRACKS; PROVIDING FOR CODIFICATION; SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

### ADMINISTRATION RECOMMENDATION

Approve the Ordinance on first reading and set a second reading public hearing.

### ANALYSIS

The revision of the ordinance regulating newsracks was adopted by the City Commission on February 23, 2005. Major changes in the ordinance included:

- Newsracks must be painted shellrack green in color.
- Standard identification decal size
- Newsracks must be the standard City approved style newsrack.
- Newsracks must be bolted to the sidewalk or right-of-way.
- Authority to remove newsracks in violation from 30 days to 7 days
- Annual permits required
- Change in fee structure

The revision to the Newsrack Ordinance resulted from meetings of a Newsrack Committee comprised of publishers, residents and staff over a period of nine months. The revisions were discussed at length and were agreed upon by all participants. In order to ensure the ordinance revision was effective, the Newsrack Committee decided to hold a meeting six months from when the City Commission adopted the ordinance to review and discuss any problems resulting from the revisions and progress toward compliance. Staff met with the publishing industry on September 28, 2005. The following items were identified by the publishers and the City as issues that need to be revisited:

1. Should the City be allowed to remove immediately from the right-of-way non-permitted newsracks owned by non-registered publishers?

Background: The ordinance currently requires the City to provide seven days for a publisher to correct a newsrack violation before the City is authorized to remove the newsrack from the right-of-way. This process works well with registered publishers. The problem is with non-registered publishers placing non-permitted newsracks on the right-of-way.

When applying for a newsrack permit a publisher is required to register the publication with the City. There is a problem with non-registered publishers placing non-permitted newsracks on the right-of-ways. This creates situations where the maximum number of newsracks at any one location is exceeded or newsracks are placed in locations where it has been determined that a newsrack at that location is inappropriate.

The Neighborhoods/Community Affairs Committee concurred with staff and recommended the ordinance be amended to allow for the immediate removal of non-permitted newsracks placed on the right-of-way by non-registered publishers.

2. Should the annual fee for renewing newsrack permits be lowered from the approved \$35 per newsrack?

Background: The ordinance states, in part, a nonrefundable permit fee of \$35.00 per newsrack is to be paid by the publisher at the time of application and at the time of annual renewal of that particular newsrack to defray costs of inspection of the newsrack. The publishers feel that the annual fee is too high.

The Neighborhoods/Community Affairs Committee recommended the fee be reduced to \$25.00 and that Public Works Department provide a report in one year as to the cost of maintaining the newsrack program with the newsracks bolted to the sidewalks and painted a uniform color.

JMG/RCM/FBH/RTH

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ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82, ARTICLE IV, DIVISION 3, THEREOF ENTITLED "NEWSRACKS" BY AMENDING CITY CODE SECTION 82-201 ENTITLED "NOTICE OF VIOLATION REQUEST FOR HEARING" BY AUTHORIZING THE CITY MANAGER, OR DESIGNEE TO IMMEDIATELY REMOVE A NON-PERMITTED NEWSRACK BELONGING TO AN UNREGISTERED PUBLISHER; AMENDING SECTION 82-231 ENTITLED "FEE LETTER OF COMPLIANCE REQUIRED" MODIFYING THE PROCEDURES AND FEES FOR REGISTERING NEWSRACKS: PROVIDING FOR CODIFICATION; SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission recognizes the importance of a free press to our democratic society; and

**WHEREAS**, the City Commission has taken steps to assure a reasonable balance between traffic, pedestrian safety, and interests, and the interests of the distribution of newspapers; and

**WHEREAS**, certain amendments to the regulations pertaining to newsracks are required in order to be in compliance with the aforestated effort; and

**WHEREAS**, the City Commission has determined that amendments to the City newsrack ordinance will cause no undue burden on the publishing industry and will promote safety on the public right-of-way, and improve the appearance and welfare of the City;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA** Miami Beach City Code Chapter 82, "Public Property," Article IV, "Uses in Public Rights-of-Way," Division 3, "Newsracks," sections 82-201, and 82-231, are hereby amended authorizing the City Manager, or designee, to immediately remove a non-permitted newsrack belonging to an unregistered publisher, and modifying the procedures and fees for registering newsracks, as more fully set forth therein.

**SECTION 1.** That Chapter 82, entitled "Public Property," Article IV, "Uses in Public Rights-of-Way of the Code of the City of Miami Beach, Sections 82-201 and 82-231, "Newsracks" are hereby amended to read as follows:

\*\*\*

**Sec. 82-201. Notice of violation; request for hearing.**

Whenever the city manager, or designee, finds that a newsrack is in violation of this division, the city manager, or designee, shall send, by certified mail, a notice of violation specifying the violation to the publisher responsible for the newsrack and to any person whose name appears on the newsrack as provided in section 82-256. Additionally, the city manager, or designee, will attempt to notify the publisher by one or more of the following means: telephone, facsimile or electronic mail (e-mail) specifying the violation. The city manager, or designee, shall cause a tag to be attached to the newsrack specifying the date and nature of the violation. The publisher, or designee, shall, within seven days from the date on which the notice of violation was received or the tag was attached, whichever ever occurred first, either cause the violation to be corrected or request a hearing pursuant to section 82-207. In the event the newsrack in violation is not registered with the city ~~and no information is available on the newsrack that would allow contacting the publisher~~, the city manager, or designee, will direct that the newsrack be immediately removed from the location and stored in accordance with section 82-202 of this division while further attempts are made to contact the responsible publisher.

(Code 1964, § 23-16; Ord. No. 2001-3317, § 2, 9-5-01; Ord. No. 2005-3476, 2-23-05)

\* \* \*

**Sec. 82-231. Permit, Fee Application required.**

\* \* \*

b. A non-refundable permit fee of ~~\$35.00~~ \$25.00 per newsrack is to be paid by the publisher at the time of application and at the time of annual renewal of that particular newsrack to defray costs of inspection of the newsrack.

\* \* \*

**SECTION 2. REPEALER**

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 3. SEVERABILITY**

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

**SECTION 4. CODIFICATION.**

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may

be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article," or other appropriate word.

**SECTION 5. EFFECTIVE DATE**

This Ordinance shall take effect ten days after adoption.

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

*M. Dubbin* 1-4-06  
City Attorney *gt* Date



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**CITY OF MIAMI BEACH  
OFFICE OF THE MAYOR & COMMISSION  
MEMORANDUM**

**TO: JORGE GONZALEZ  
CITY MANAGER**

**MURRAY DUBBIN  
CITY ATTORNEY**

**FROM: RICHARD STEINBERG *RLS/mt*  
VICE MAYOR**

**DATE: December 29, 2005 381**

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**Condensed Title:**

A Resolution waiving formal competitive bidding requirements and authorizing the Property Management Director to award all contracts and change orders relative to Renovation/Relocation projects in the 777-17<sup>th</sup> Street Building and the City Hall Building.

**Key Intended Outcome Supported:**

Ensure well maintained facilities

**Issue:**

Shall the City waive competitive bidding requirements and authorize the Property Management Director to award all contracts and change orders relative to Renovation/Relocation projects in the 777-17<sup>th</sup> Street Building and the City Hall Building?

**Item Summary/Recommendation:**

The City Facility Space Utilization Strategy is to consolidate as many of the City Administration functions within the City Hall Complex area (City Hall Building, 777 Building and the future Multi-Purpose Municipal Parking Facility). In order to execute this strategy, several time sensitive renovation/relocation projects in the 777 Building and City Hall Building will have to be accomplished within the next year. Current projects already defined are the renovation of a portion of the 3rd floor of City Hall and the 5th and 3rd floors of the 777 Building.

The waiver of competitive bidding requirements and authorizing the Property Management Director to serve as the General Contractor of Record is in the best interest of the City because:

- Cost reduction of project material by direct purchase
- No General Contractor or subcontractor's overhead and profit
- Project scheduling flexibility
- Proven record of performance, time and budget

The estimated total cost for currently programmed renovation/relocation projects is \$646,000. Any contracts awarded in excess of \$25,000 by the Property Management Director will be brought to the City Commission for ratification.

The Administration recommends approval of the Resolution.

**Advisory Board Recommendation:**

N/A

**Financial Information:**

Source of Funds:	Amount	Account	Approved
1			
2			
3			
4			
<b>Total</b>			

OBPI

**Financial Impact Summary:**

**City Clerk's Office Legislative Tracking:**

Brad A. Judd; Property Management Director

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
<i>FVOS</i>	<i>Alca</i>	<i>Jung</i>



MIAMI BEACH

AGENDA ITEM R7A  
DATE 1-11-06



# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: January 11, 2006

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, FINDING, PURSUANT TO SECTION 255.20 (1) (c) (9), FLORIDA STATUTES, AND FOLLOWING A DULY NOTICED PUBLIC HEARING THAT IT IS IN THE PUBLIC'S BEST INTEREST TO WAIVE, BY 5/7THS VOTE, THE FORMAL COMPETITIVE BIDDING REQUIREMENTS, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY, AND AUTHORIZING THE CITY MANAGER, THROUGH HIS DESIGNEE, WHO SHALL BE THE CITY'S PROPERTY MANAGEMENT DIRECTOR, A LICENSED GENERAL CONTRACTOR, TO SELECT, NEGOTIATE, AND AWARD ALL CONTRACTS, AGREEMENTS, PURCHASE ORDERS, AND CHANGE ORDERS FOR THE PURCHASE OF ALL NECESSARY GOODS AND SERVICES RELATIVE TO RENOVATION/RELOCATION PROJECTS IN THE 777-17TH STREET BUILDING AND THE CITY HALL BUILDING; SAID PROJECTS HAVING AN ESTIMATED TOTAL VALUE OF \$646,000; PROVIDING THAT ALL DOCUMENTS BE REVIEWED BY THE APPROPRIATE MEMBERS OF THE ADMINISTRATION AND CITY ATTORNEY'S OFFICE, AND SHALL CONTAIN THOSE MINIMUM TERMS AND CONDITIONS AS SET FORTH IN THIS RESOLUTION.**

### ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

### ANALYSIS

The City Facility Space Utilization Strategy is to consolidate as many of the City Administration functions within the City Hall Complex area (City Hall Building, 777 Building and the future Multi-Purpose Municipal Parking Facility). In order to execute this strategy, several time sensitive renovation/relocation projects in the 777 Building and City Hall Building will have to be accomplished within the next year.

Current projects already defined are:

- Renovation of a portion of the 3rd floor of City Hall to house Tourism and Cultural Development Department, Economic Development Department, and the Office of Budget and Performance Improvement. Total estimated cost of \$323,000 has been funded through existing operating budgets.
- Renovations to the 5th floor of the 777 Building to house the Communications Department and including IT upgrades to the building. Total estimated cost of \$63,000 has been funded through existing operating budgets.

- Renovations to the 3rd floor of the 777 Building to house the Capital Improvement Projects Department. Total estimated cost of \$260,000 has been budgeted in the Department's operating budget.

The City's space usage strategy is meant to maximize the use of available space within City owned buildings and facilities. With the renovations of spaces in the 777 Building and the City Hall Building, this will provide more efficient use of available space and will enhance the ability of departments assigned to those spaces to operate.

The work specified consists of all labor, machinery, tools, means of transportation, supplies, equipment, materials, and services necessary for the planning, design, and construction work on renovation/relocation projects in the 777-17th Street Building and the City Hall Building. The work under this Project includes, but is not limited to: programming of space needs, development of required construction documents, demolition and re-construction of interior partitions, electrical lighting and receptacles, plumbing requirements, HVAC requirements, and all other work that is required to successfully complete renovation/relocation projects in the two Buildings.

Section 2-366 of the City Code, entitled Contract Procedures, states that all supplies and equipment, except as otherwise provided in this division, when the estimated cost thereof shall exceed \$25,000.00, shall be purchased by formal, written contract and/or purchase order from the lowest and best responsible bidder, after due notice inviting proposals; however, the City Commission shall have authority to waive execution of formal contract in cases where it deems it advisable to do so.

Inasmuch as the City's Property Management Division has been approved as the General Contractor for this project, at times there will be a need for the acquisition of goods and services that may exceed the \$25,000 bidding threshold. Therefore, as a result of the time needed to complete formal bid processes (i.e. 90-120 days) each time that Property Management Division has a need to augment its existing resources for goods and services in excess of \$25,000, this important project will be placed on hold or delayed significantly. Pursuant to Section 2-367(e) of the City Code entitled Rejection of bids; negotiation; waiver of competitive bidding, the City Commission, upon written recommendation of the City Manager, may by resolution adopt by a five-sevenths vote of the City Commission a waiver of competitive bidding when the City Commission finds such waiver to be in the best interest of the City.

The following are reasons why the waiver of competitive bidding is in the best interest of the City:

- Cost Reduction of Project Materials. By utilizing in-house General Contractor services, the City will have the ability to purchase the majority of building materials needed for the project, directly from the manufacturer. External contractors would be required to purchase these materials from a supply house that would increase the costs of the purchase of supplies by adding stocking charges, plus overhead and profit on top of the manufacturer costs. This would provide a substantial saving to the City on material purchases for the project.
- Savings of General Contractor and Subcontractor's Overhead and Profit. In outsourced projects, general contractors add a typical range of 15-20% on top of project cost for expenses and profit. By using in-house services, this would be a direct cost savings to the City for these items. Additionally, as electrical, plumbing, painting, and carpentry could also be provided under in-house services, limited subcontractors would be required for the project. This would also provide savings to the City on overhead and profit costs that would also be required to be paid to the subcontractors.



- Project Scheduling to Accommodate Special Needs. Under routine contractual agreements, the General contractor provides a workflow schedule that is inflexible in accommodating unforeseen circumstances or required change of workflow without the requirement of a project change order or additional costs. In-house contracting would provide flexibility of schedules to work with unforeseen circumstances including special needs, without the need for change orders or extra costs for the project.
- Proven Track Record. Property Management has provided General Contracting services for the City on many past projects. These include the construction of the Electrowave facility on Terminal Island, the design and renovations of the Byron Carlyle Theater, The Lincoln Road Lighting and Fountain Enhancement project, the Pinetree Park GO Bond project, the Fire Station #2 Maintenance Facility GO Bond project, the renovation of the VCA and 555 Buildings, ADA compliance projects Citywide, the Richmond section of the Beachwalk Project, the FY 04/05 Capital Renewal and Replacement Projects, and multiple major renovations to the City Hall, 21 Street Community Center, 6TH Street Community Center, and the Historic City Hall Buildings. Each of these projects was completed on or below the estimated budget for the projects.

## **CONCLUSION**

The Administration recommends that the Mayor and City Commission adopt the attached Resolution which waives the competitive bidding requirements, finding such waiver to be in the best interest of the City, and authorizing the City Manager's designee, who shall be the Property Management Director, a Licensed General Contractor, to select, negotiate, and award all contracts, agreements, purchase orders, and change orders for the purchase of all necessary goods and services (construction and professional) relative to renovation/relocation projects in the 777-17th Street Building and the City Hall Building, providing that all documents be reviewed by the appropriate members of the Administration, City Attorney's Office, and contains minimum terms and conditions as set forth in this resolution; and further authorizing the Mayor and City Clerk to execute any and all agreements relative to the aforesaid projects.

JMG/BM/FHB/BAJ

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RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, FINDING, PURSUANT TO SECTION 255.20 (1) (c) (9), FLORIDA STATUTES, AND FOLLOWING A DULY NOTICED PUBLIC HEARING THAT IT IS IN THE PUBLIC'S BEST INTEREST TO WAIVE, BY 5/7THS VOTE, THE FORMAL COMPETITIVE BIDDING REQUIREMENTS, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY, AND AUTHORIZING THE CITY MANAGER, THROUGH HIS DESIGNEE, WHO SHALL BE THE CITY'S PROPERTY MANAGEMENT DIRECTOR, A LICENSED GENERAL CONTRACTOR, TO SELECT, NEGOTIATE, AND AWARD ALL CONTRACTS, AGREEMENTS, PURCHASE ORDERS, AND CHANGE ORDERS FOR THE PURCHASE OF ALL NECESSARY GOODS AND SERVICES RELATIVE TO RENOVATION/RELOCATION PROJECTS IN THE 777-17<sup>TH</sup> STREET BUILDING AND THE CITY HALL BUILDING, SAID PROJECTS HAVING A TOTAL ESTIMATED VALUE OF \$646,000; PROVIDING THAT ALL DOCUMENTS BE REVIEWED BY THE APPROPRIATE MEMBERS OF THE ADMINISTRATION AND CITY ATTORNEY'S OFFICE, AND SHALL CONTAIN THOSE MINIMUM TERMS AND CONDITIONS AS SET FORTH IN THIS RESOLUTION; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ANY AND ALL AGREEMENTS RELATIVE TO THE AFORESTATED PROJECTS.**

**WHEREAS**, the space and configuration needs of internal City departments change due to additional staff requirements or operational needs that come with the adoption of the Fiscal Year 05/06 City Budget and there may be a need to renovate or relocate certain departments in space within the City Hall Building and the 777-17<sup>th</sup> Street Building, to meet these personnel and operation needs; and

**WHEREAS**, the Administration has determined that due to the existing condition and requirements of the aforestated vital projects, the projects have a need to be completed in an expeditious manner; and

**WHEREAS**, it is the Administration's intent to secure the construction work relative to the projects utilizing the City's Property Management Director, who is a licensed general contractor and his staff; and

**WHEREAS**, additionally, the Administration, through the Property Management Director, acting as General Contractor above, may require the need for the acquisition of goods and services which may exceed the \$25,000 threshold correctly within the City Manager's discretion; and

**WHEREAS**, as a result of the time needed to complete the formal bid processes

(i.e. 90-120 days), each time that the Property Management Director has a need to augment his existing resources for goods and services in excess of \$25,000, the projects will be placed on hold or delayed significantly; and

**WHEREAS**, pursuant to Section 255.20 (1) (c) (9), a governing body may, following a duly noticed public hearing, find that it is in the public's best interest to perform a public construction project using its own services, employees, and equipment; and

**WHEREAS**, a public hearing was duly noticed and held on January 11, 2006; and

**WHEREAS**, the Property Management Director, as the general contractor, will be taking on the responsibility of the completion of the aforestated vital projects; and

**WHEREAS**, in order to diligently prosecute the required work to timely complete the projects, the Administration would recommend that the Mayor and City Commission waive, by 5/7ths vote, the formal competitive bidding requirements, relative to enabling the Administration, through its Property Management Director acting as General Contractor, to procure the required goods and services to complete the projects, on an expedited basis; and

**WHEREAS**, notwithstanding the Mayor and City Commission's waiver herein of the competitive bidding requirement, the Property Management Director, utilizing the resources of the Procurement Division, would institute an "expedited" bidding process to ensure the integrity of the process and, while not formal competitive bidding, a process that would still act to procure for the City the highest quality of goods and services at the least expense to the City, and endeavor to obtain as full and open competition, within that expedited framework, as possible; and

**WHEREAS**, additionally, the Administration would recommend that the Mayor and City Commission waive formal competitive bidding subject to the terms and conditions set forth below.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AS FOLLOWS:**

1. The Mayor and City Commission hereby waive, by 5/7ths vote, the formal competitive bidding requirements, finding such waiver to be in the best interest of the City, relative to the City's (through its Property Management Director serving as the General Contractor) completion of the work on renovation/relocation projects in the 777-17<sup>th</sup> Street Building and the City Hall Building.
2. The City Manager, through his designee, who shall be the City's Property Management Director, is authorized to select, negotiate, and award all contracts,

agreements, purchase orders, and change orders for the purchase of all necessary goods and services relative to the projects.

3. All documents referenced herein shall be reviewed by the appropriate members of the Administration and City Attorney's Office prior to execution and shall contain, at a minimum, the following terms and conditions:
  - a) Time of completion of the work in question.
  - b) Fees, costs, and other charges to the City. All fees and costs negotiated should be competitive with fees and charges for similar work in the South Florida area.
  - c) Appropriate provisions addressing insurance requirements (naming the City as an additional insured), indemnification and hold harmless in favor of the City, and payment and performance bonds.
  - d) All scope of services and/or work required shall be prepared in conjunction with and reviewed by the Administration.
4. All contracts, agreements, purchase orders, and change orders over \$25,000 shall be executed by the Mayor and City Clerk, and shall be ratified by the Mayor and City Commission at its next available meeting.
5. The total amounts of contracts, agreements, purchase orders, and change orders to be executed pursuant to the approvals set forth herein shall not exceed the appropriated amount for the Project, as same is set forth in this Resolution, without the prior approval of the Mayor and City Commission.
6. Notwithstanding the waiver of competitive bidding herein, the Property Management Director, utilizing the City's Procurement Division, shall use his best efforts through an "expedited" bidding process to assure that the highest quality of goods and services at the least expense to the City is obtained, and endeavor to obtain as full and open competition, as in said process, as possible.


**PASSED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2006.**

**Attest:**

\_\_\_\_\_  
**CITY CLERK**

\_\_\_\_\_  
**MAYOR**

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

 1-3-05  
City Attorney Date



MIAMI BEACH

# CITY OF MIAMI BEACH NOTICE OF A PUBLIC HEARING

**NOTICE IS HEREBY** given that pursuant to Section 255.20(1)(A)(9), Florida Statutes, a public hearing will be held by the City Commission of the City of Miami Beach, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, January 11, 2006 at 10:30 a.m.**, to consider whether it is in the public's best interest to undertake construction services, relative to the renovation/relocation projects in the City owned building at 777-17th Street and the City Hall building, said Projects having an estimated cost of \$655,000, using the City's Property Management Director, a licensed General Contractor, as the General Contractor for the Project and who, as the City Manager's Designee, shall select, negotiate, and award all contracts, agreements, purchase orders, and change orders for the purchase of all necessary goods and services relative to said Project.

**INQUIRIES** may be directed to the Public Works at (305) 673-7080.

**INTERESTED PARTIES** are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting may be opened and continued and, under such circumstances additional legal notice would not be provided.

Robert E. Parcher,  
City Clerk  
City of Miami Beach

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact (305) 604-2489 (voice), (305) 673-7218(TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

(Ad #351)

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**Condensed Title:**

A Resolution approving the City's 2006-2007 Federal Legislative Agenda

**Key Intended Outcome Supported:**

Supports Multiple KIOs.

**Issue:**

Shall the City Commission approve the recommended list of Federal Legislative Priorities?

**Item Summary/Recommendation:**

Each year, the Mayor and City Commission adopt the City's legislative priorities that will be pursued by the City's representatives in Washington D.C. during the annual Congressional Session. The attached list of priorities was developed by the Administration in consultation with the City's lobbyists, and by meetings held on January 6, 2006 between the Mayor and each Commissioner and the City's lobbyists.

The recommended 2006 agenda includes legislative and funding requests, including Beach Renourishment, Homeland Security, Stormwater infrastructure improvements, and retaining authority to implement the wi-fi system.

**Advisory Board Recommendation:**

n/a

**Financial Information:**

Source of Funds:	Amount	Account	Approved
1			
2			
3			
4			
<b>Total</b>			

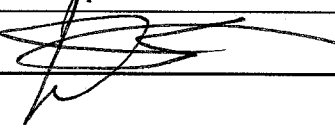
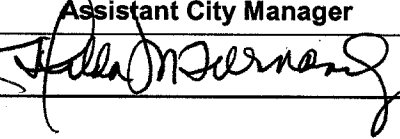
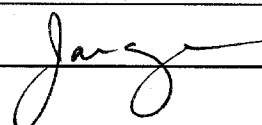
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**Financial Impact Summary:**

**City Clerk's Office Legislative Tracking:**

Kevin Crowder

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
		





# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: City Manager Jorge M. Gonzalez

DATE: January 11, 2006

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE CITY'S FEDERAL LEGISLATIVE AGENDA FOR THE 2006-2007 CONGRESSIONAL SESSION.**

### ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

### ANALYSIS

Each year, the Mayor and City Commission adopt the City's funding and legislative priorities that will be pursued by the City's representatives in Washington D.C. during the annual Congressional session.

The proposed priorities include funding requests for Beach Renourishment, Stormwater Infrastructure, Transportation, Health Care, After School Programs, Canal Cleanup, and support of the City's grant applications. Additionally, the City has legislative priorities that include disaster response authority, telecommunications and wireless internet access.

A final Federal Legislative Agenda will be submitted as a supplemental item on January 9, 2006, after completion of the meetings with the Federal lobbyists.

The Administration recommends that the Mayor and City Commission review the proposed legislative agenda, establish the priorities and adopt the attached Resolution.

JMG:HF:kc

Attachment

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**A RESOLUTION OF THE MAYOR AND CITY COMMISSION  
OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING  
THE CITY'S FEDERAL LEGISLATIVE AGENDA FOR THE  
2006-2007 CONGRESSIONAL SESSION.**

**WHEREAS**, the City must avail itself of all potential sources of funds; and

**WHEREAS**, Federal legislation may need to be enacted to protect and enhance the City's interests; and

**WHEREAS**, action of Federal executive agencies may be necessary for the same purposes; and

**WHEREAS**, it is imperative that the City's legislative consultant is aware of, and has a list of, City priorities; and

**WHEREAS**, the Administration has prioritized funding needs and identified potential funding sources; and

**WHEREAS**, the City's numerous Federal-level needs have been assessed and prioritized to produce the most effective use of its legislative team.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the recommended Federal Legislative Agenda for the 2006-2007 Congressional Session be approved, as more specifically set forth in the attached Commission Memorandum.

**PASSED and ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

  
\_\_\_\_\_  
City Attorney

1-5-05  
Date

**Condensed Title:**

A Resolution of the Mayor and City Commission of the City of Miami Beach, Florida, approving the waiver, by 5/7<sup>th</sup> vote, the competitive bidding requirement and approving a three (3) year towing permit to Beach Towing Services, Inc. and Tremont Towing Services, Inc., respectively, commencing on March 1, 2006 and expiring on February 28, 2009, with a renewable two (2) year option period, at the sole discretion of the City.

**Key Intended Outcome Supported:**

As a service provider, the towing operators provide services that will assist in increasing parking availability and decreasing traffic and congestion.

**Issue:**

Should the Mayor and Commission, by 5/7<sup>th</sup> vote, waive the competitive bidding requirement and approve a three (3) year towing permit to Beach Towing Services, Inc. and Tremont Towing Services, Inc., respectively?

**Item Summary/Recommendation:**

The City's agreement for towing services with Tremont Towing Services, Inc. and Beach Towing Services, Inc. will expire on February 28, 2006. As the current service providers are the only illegible providers on the City of Miami Beach and the Parking and Police Departments are satisfied with the level of service provided, the Administration is seeking to re-issue contracts to the two service providers. The service providers have agreed to maintain the current fee structure for a contract renewal and have also agreed to provide customer service training to all of its employees. In order to renew the contract, approval by 5/7<sup>th</sup> vote of the Mayor and City Commission of a waiver of competitive bidding is required and recommended. The term of the recommended agreement would be an initial term of three (3) years and a provision for a two (2) year renewal option at the sole discretion of the City.

**Advisory Board Recommendation:**

The Transportation and Parking Committee endorsed this recommendation on Monday, December 19, 2005.


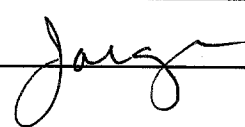
**Financial Information:**

Source of Funds:	Amount	Account	Approved
1			
2			
3			
4			
<b>Total</b>			

OBPI

**Financial Impact Summary:**

**City Clerk's Office Legislative Tracking:****Sign-Offs:**

Department Director	Assistant City Manager	City Manager
		

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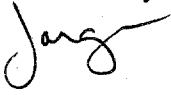


MIAMIBEACH

AGENDA ITEM R7C  
DATE 1-11-06



## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission  
FROM: City Manager Jorge M. Gonzalez   
DATE: January 11, 2006  
SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, WAIVING BY 5/7<sup>TH</sup> VOTE, THE COMPETITIVE BIDDING REQUIREMENT AND APPROVING A THREE (3) YEAR TOWING PERMIT WITH BEACH TOWING SERVICES, INC. AND TREMONT TOWING SERVICES, INC., RESPECTIVELY, COMMENCING ON MARCH 1, 2006 AND EXPIRING ON FEBRUARY 28, 2009, WITH A TWO (2) YEAR OPTION FOR RENEWAL PERIOD, AT THE SOLE DISCRETIONS OF THE CITY.**

### ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

### ANALYSIS

The towing service providers Tremont Towing located at 1916 Bay Road, Miami Beach, Florida and Beach Towing, located at 1349 Dade Boulevard, Miami Beach, Florida, each currently have a permit issued by the City to provide towing services to the Police and Parking Departments. On November 20, 1996, the Mayor and City Commission waived, by a 5/7ths vote, the competitive bidding requirement, and approved an extension of the towing permits for a period of two years, to expire on November 30, 1998. On November 18, 1998, the Mayor and City Commission approved two (2) additional one (1) year options, to be renewed at the sole discretion of the City. The second one (1) year option expired on November 30, 2000. On October 18, 2000, the Mayor and City Commission waived, by a 5/7ths vote, the competitive bidding requirement, and approved a two (2) year contract, with three (3) one-year options, to be renewed at the sole discretion of the City. Subsequently, all renewal options have been exercised and the current agreement will expire on February 28, 2006.

Vehicle impoundment is a traffic/parking management tool that removes an unauthorized vehicle so that either public safety is effectuated or an authorized vehicle may take its place. A byproduct is that towing is an educational tool which acts as a disincentive for illegal parking.

The Administration, including the Police Department and the Parking Department are satisfied with the level of service provided by both Beach Towing Services, Inc. and Tremont Towing Services, Inc. Moreover, both "Beach" and "Tremont" are the only qualified towing service provider satisfying the minimum vehicle storage requirements (capacity for storage of 100 vehicles) within the city limits. The vehicle storage within the city limits is a requirement that only "Beach" and "Tremont" satisfy. The alternative would be to relax this requirement which would then allow vehicle storage in Miami-Dade County. However, this is not recommended as a viable option as visitors and/or residents would then be required to

travel to the mainland to retrieve their vehicle, causing more delay, expense, and frustration to already taxing experience. Although vehicle impoundment is a necessary tool in parking enforcement and designed to be an incentive to park legally, the patron's vehicle retrieval process should certainly be an efficient and expedient one.

Additionally, maximum allowable rates, customer service, and complaints were addressed in the last renewal period. These provisions all remain in effect. Moreover there will be no increases in maximum allowable rates recommended through the initial term of three (3) years.

<u>Service</u>	<u>Rate</u>
Class "A"	\$115
Adm Fee	\$30 (private tows \$30 & trigger for Adm Fee 12 hrs).
After Hrs Fee*	\$30 (imposed Monday thru Friday from 8:00 p.m. to 8:00 a.m. and on weekends starting at 8:00 p.m. on Friday thru 8:00 a.m. on Monday.)
Labor**	\$25
Indoor Storage	\$30
Class B, C, & D	\$145/\$175/\$200

\* Implemented on 11/1/03.

\*\* Not an automatic fee. Imposed only when access to enter vehicle required in order to properly engage/tow vehicle.

Employees of the towing operators represent the City in their role as service provider. The towing industry is a challenging one from a customer relations standpoint. Nevertheless, it is our (City's and service provider's) responsibility to ensure the highest levels of customer service are provide to our residents, visitors, and tourists. To this end, all employees of the towing service providers that may have contact with customers and/or the general public must attend and participate in the City's TACC (Towing and Customer Contact Training). This training session will specifically address customer relations training, including diffusing situations, demeanor/body language, and conflict resolution. All employees of the service providers that have customer contact will be required to attend this training twice annually (every six months). In addition, both towing service providers have agreed to provide informational material to the general public, providing information on frequently asked questions, including: rates, directions to storage locations, and contact information of both towing service providers.

It is the responsibility of the service provider to address customer service issues in a polite, courteous, and respectful manner, regardless of the comportment of the complainant. Clearly, verbal or physical abuse is unacceptable and police assistance should be sought if a conflict escalates. The towing service providers shall provide written responses to complaints within five (5) business days of receipt. Responses should include identification of the complaint(s)/ issue(s), proposed resolution(s), and corrective measures for the future. The City reserves the right, in its sole discretion, to have the service provider refund all or any portion of the towing fees to the complainant, as liquidated damages, should the City rule in favor of the complainant.

Therefore, in order to continue to provide a higher level of service to recipients of non-consensual tows, the Administration recommends that the Mayor and Commission approve the waiver, by 5/7<sup>th</sup> vote, the competitive bidding requirement and approve a three (3) year towing permit to Beach Towing Services, Inc. and Tremont Towing Services, Inc., respectively, commencing on March 1, 2006 and expiring on February 28, 2009. There would also be an allowance of a two (2) year renewal period at the sole discretion of the City

Also, the City's TPC (Transportation and Parking Committee) endorsed this recommendation at their regularly scheduled meeting held on Monday, December 19, 2005.

### **CONCLUSION**

The Administration recommends that the Mayor and Commission approve the waiver, by 5/7<sup>th</sup> vote, the competitive bidding requirement and approve a three (3) year towing permit to Beach Towing Services, Inc. and Tremont Towing Services, Inc., respectively, commencing on March 1, 2006 and expiring on February 28, 2009.

  
JMG/PCMSF

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## **RESOLUTION TO BE SUBMITTED**

**Condensed Title:**

A Resolution amending an existing design build agreement with Ric - Man International, increasing the agreement by \$1,642,301.22 to provide architectural/engineering, construction and construction administration services for the 7<sup>th</sup> and 8<sup>th</sup> Street Corridor Infrastructure Improvements, adding to the scope of work for the Washington Avenue Improvements – Phase II, IV and V Project; funding is available from the previously appropriated funding sources for the Flamingo/Lummus Bid Pack B detailed below of which the work is a component.

**Key Intended Outcome Supported:**

Ensure well-designed quality capital projects.

**Issue:**

Shall the City Commission approve the Resolution and the corresponding funding allocation?


**Item Summary/Recommendation:**

As part of the City's objective to improve vehicular traffic mobility, the implementation of a Three-Step Plan, funded by State, County, and City funds, was formally approved and endorsed by Resolution on December 20, 2000. Step III of the Plan, dealing with the introduction of street flow modification measures meant to better the control and management of traffic along the Ocean Drive Corridor, included changing 7<sup>th</sup> and 8<sup>th</sup> streets, between Ocean Drive and Washington Ave. to one direction as follows: 7<sup>th</sup> Street traffic would flow in an East-bound direction and 8<sup>th</sup> Street traffic would flow in a West-bound direction. The benefits and opportunities for additional one-way street pairs would be analyzed further as part of other City street improvement projects. The advanced design status (90% complete) of the Flamingo / Lummus Right of Way (ROW) Infrastructure Improvement Project - which includes proposed improvements to 7<sup>th</sup> and 8<sup>th</sup> Streets – as well as the advanced construction stage (nearing completion ahead of schedule) of the Washington Avenue Project – whose proximity and interrelationship with the Lummus Project is obvious – provides an opportunity to facilitate the necessary modifications to 7<sup>th</sup> and 8<sup>th</sup> Streets. Amending the existing Design Build Agreement with Ric – Man to incorporate this additional work will offer the advantage of completing these improvements at equivalent pricing, but sooner than through the typical RFQ / bidding processes. Acceleration of this work is further recommended to mitigate flooding issues along 7<sup>th</sup> and 8<sup>th</sup> Streets.

**Advisory Board Recommendation:**

N/A

**Financial Information:**

Source of Funds:	1	Amount	Account	Approved
 <b>OBPI</b>	1	\$665,920.28	G.O. Bond – Fund No. 384 – Previously appropriated	
	2	\$671,690.13	2000 Stormwater Bonds – Fund No. 428 – Previously appropriated	
	3	\$304,690.81	2000 Water & Sewer Bonds – Fund No. 424 – Previously appropriated	
	<b>Total</b>	<b>\$1,642,301.22</b>		

**Financial Impact Summary:**

**City Clerk's Office Legislative Tracking:****Sign-Offs:**

Department Director	Assistant City Manager	City Manager
JECh 	TH 	





# MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: City Manager Jorge M. Gonzalez

DATE: January 11, 2006

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING AN EXISTING DESIGN BUILD AGREEMENT WITH RIC – MAN INTERNATIONAL, INC., INCREASING THE AGREEMENT BY THE AMOUNT OF \$1,642,301.22, TO PROVIDE ENGINEERING, URBAN DESIGN, AND LANDSCAPE ARCHITECTURE FOR DESIGN, BID AND AWARD, CONSTRUCTION AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE 7<sup>TH</sup> AND 8<sup>TH</sup> STREET CORRIDOR INFRASTRUCTURE IMPROVEMENTS TO BE ADDED TO THE SCOPE OF WORK FOR THE ONGOING WASHINGTON AVENUE IMPROVEMENTS - PHASE II, IV AND V PROJECT; FUNDING IS AVAILABLE FROM THE FOLLOWING PREVIOUSLY APPROPRIATED SOURCES FOR THE FLAMINGO/LUMMUS BID PACK B OF WHICH THE WORK IS A COMPONENT: \$665,920.28 FROM THE GENERAL OBLIGATION BOND (FUND NO. 384); \$671,690.13 FROM THE 2000 STORM WATER BONDS (FUND NO. 428); AND \$304,690.81 FROM THE 2000 WATER AND SEWER BONDS (FUND NO. 424).**

### **PROJECT FUNDING**

Project funding in the amount of \$1,642,301.22 is available from the following previously appropriated sources for the Flamingo/Lummus Bid Pack B of which the work is a component: \$665,920.28 from the General Obligation Bond (Fund No. 384); \$671,690.13 from the 2000 Storm Water Bonds (Fund No. 428); and \$304,690.81 from the 2000 Water and Sewer Bonds (Fund No. 424).

### **ADMINISTRATION RECOMMENDATION**

Adopt the resolution.

### **ANALYSIS**

The City of Miami Beach has implemented various programs to improve the quality of life of residents in the City's 13 neighborhoods via 24 capital improvement projects. The Capital Improvement Planned Progress Initiative is funded by Series 2000 Water and Sewer Revenue Bonds, Series 2000 Storm Water Revenue Bonds, and 1999 General Obligation Bonds. Construction of the Washington Avenue Improvements Project - Phase II, IV and V From 5<sup>th</sup> Street to 16<sup>th</sup> Street is presently well ahead of schedule and in the final stages of completion. This project has been implemented using the Capital Improvement Projects Office standard Planned Progress Initiative model for Right of Way projects and is funded by General Obligation, Water and Storm Water Bond Funds. The purpose of the Planned



Progress Initiative model is to facilitate community involvement and information as well as to coordinate construction citywide.

As part of the City's objective to improve vehicular traffic mobility, the implementation of a Three-Step Plan, funded by State, County, and City funds, was formally approved and endorsed by Resolution No. 2000-24221 on December 20, 2000. Step III of the Plan, dealing with the introduction of street flow modification measures meant to better the control and management of traffic along the Ocean Drive Corridor, included changing 7<sup>th</sup> and 8<sup>th</sup> streets, between Ocean Drive and Washington Ave. to one direction as follows: 7<sup>th</sup> Street traffic would flow in an East-bound direction and 8<sup>th</sup> Street traffic would flow in a West-bound direction. The benefits and opportunities for additional one-way street pairs would be analyzed further as part of other City street improvement projects. The original street flow modifications were a component of the Collins Ave. FDOT Project, which will be funded in the future by the State through a Joint Project Agreement (JPA). The City will use available funding now to expedite the work and include the costs in the JPA in the future. The City and FDOT are currently working on expediting the Collins Ave. Project.

The advanced design status (90% complete) of the Flamingo / Lummus Right of Way (ROW) Infrastructure Improvement Project - which includes proposed improvements to 7<sup>th</sup> and 8<sup>th</sup> Streets - as well as the advanced construction stage (nearing completion ahead of schedule) of the Washington Avenue Project - whose proximity and interrelationship with the Lummus Project is obvious - provides an opportunity to facilitate the necessary modifications to 7<sup>th</sup> and 8<sup>th</sup> Streets. Amending the existing Design Build Agreement with RMI to incorporate this additional work will offer the advantage of completing these improvements at equivalent pricing, yet sooner than through the typical RFQ / bidding processes. Pursuing this option further eliminates any construction overlaps with the work just completed on Washington Avenue. Acceleration of this work is further recommended to mitigate flooding issues along 7<sup>th</sup> and 8<sup>th</sup> Streets.

General improvements include restoration and enhancement to the function and aesthetics of the following:

- Repair or replacement of existing water mains to meet City Water Master Plan recommendations.
- Upgrade of a priority storm water basin within the project area to meet City storm water Master Plan / BODR recommendations.
- Street resurfacing and new pavement markings.
- Swale restoration, and/or curb and gutter restoration or upgrades.
- Repair, extension, or widening of sidewalks and crossing ramps to provide continuous, ADA-Title III compatible separated pedestrian ways.
- Installation of new pedestrian-scale street lighting and/or upgrade of existing lighting to correct deficiencies.
- Providing enhanced landscaping, development of additional areas for planting opportunities, and new / enhanced irrigation to support such plantings within the street right-of-way, as consistent with the approved BODR.

The work requires that all above-ground improvements be coordinated with existing and proposed above-ground and underground infrastructure improvements, which may include the following tasks:

- Replacement of water mains and sanitary sewer lines
- Limited coordination with other entities, including but not limited to, Florida Power and Light Company, BellSouth, Atlantic Broadband and their vendors.

Underground water, sewer and drainage infrastructure improvements for the ROW Program are generally identified in: the City of Miami Beach Comprehensive Stormwater Management Program Master Plan, (March 1997), the City of Miami Beach Water System Master Plan, (November, 1994), and the Citywide Sanitary Sewer Infiltration and Inflow Mitigation Program, and in subsequent amendments to the plans and decisions of the City's Public Works Department. In addition, the work shall include surveying and obtaining permits from all governmental agencies having jurisdiction in Miami Beach as well as Construction Management Services during construction.

The City's Program Manager, Hazen and Sawyer, P.C., shall serve as the focal point of contact, with regard to all aspects of this scope of services.

In recognition of the need to move forward with the Project, on September 8, 2004, the City Commission authorized the issuance of an RFP for engineering, urban design, and landscape architecture services needed for the design, bid and award, and construction administration of the 7<sup>th</sup> and 8<sup>th</sup> Street Improvements from Washington Avenue to Ocean Drive.

RMI's Design Build team is comprised of the following highly specialized, locally recognized firms: A&P Consulting Transportation Engineers - will provide drainage, traffic and roadway / hardscape design service; Neitzel Design Group - will provide landscape design services; and Protocole Corporation - will assist in public relations coordination for this project. These firms have been selected to provide their expertise on specific items that have been identified by the City of Miami Beach and/or existing site conditions. RMI's team has years of professional experience in South Florida. All team members have previously collaborated on successful project completions.

Several negotiation sessions were held and agreement reached on a required scope of services to be provided for a guaranteed maximum price of \$1,642,301.22 (Attachment A). Project funding previously appropriated for the Flamingo/Lummus Bid Pack B of which the work is a component, in the amount of \$665,920.28 is available from the General Obligation Bond (Fund No. 384); \$671,690.13 is available from the 2000 Storm Water Bonds (Fund No. 428); and \$304,690.81 is available from the 2000 Water and Sewer Bonds (Fund No. 424).

The negotiated guaranteed maximum price is within the general range of costs and design percentages for streetscape projects that the City has been approving recently. The Administration recommends award of the agreement and approving the use of previously appropriated funds.

## **CONCLUSION**

The Administration recommends that the Mayor and City Commission adopt the resolution, and amend the DESIGN BUILD professional service Agreement with Ric - Man

Commission Memorandum

January 11, 2006

Amendment to Agreement with Ric-MAN International, Inc., 7<sup>th</sup> & 8<sup>th</sup> Streets Improvements

Page 4 of 4

International, Inc., increasing the amount of the Agreement by \$1,642,301.22, to provide engineering, permitting, construction, and construction administration services for the 7<sup>th</sup> and 8<sup>th</sup> Street Corridor Infrastructure Improvement Project; with funding available from the

following previously appropriated sources for Flamingo/Lummas Bid Pack B of which the work is a component : \$665,920.28 from the General Obligation Bond (Fund No. 384); \$671,690.13 from the 2000 Storm Water Bonds (Fund No. 428); and \$304,690.81 from the 2000 Water and Sewer Bonds (Fund No. 424).

Attachments

T:\AGENDA\2006\jan1106\Regular\WashAveAdds-Memo 01.11.06 jsp.doc

January 6, 2006

Jorge Chartrand  
Director, CIP Office  
**City of Miami Beach**  
777 17<sup>th</sup> Street  
Miami Beach, Florida 33139

City of Miami Beach ROW Improvement Program  
Washington Avenue Improvements – Phase II, IV & V  
7<sup>th</sup> and 8<sup>th</sup> Street One Way Pairs  
Amendment to RIC - MAN International Design Build  
Agreement

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Dear Mr. Chartrand:

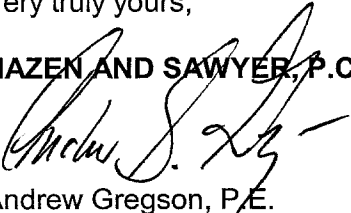
As you are aware, construction work on the Washington Avenue improvements is nearing completion. Work remaining includes miscellaneous sidewalk / curb and gutter repairs, median reconstruction and landscaping, signalization at selected intersections and pavement milling and resurfacing. Hazen and Sawyer believes that at this juncture it would be advantageous to the City of Miami Beach to realize the benefits of utilizing the Design – Build teams presence in the Washington Avenue Corridor to further construction efforts in the adjacent Flamingo Lummus neighborhood.

In particular, we recommend that the City approve the Amendment prepared to add the completion of design and construction of improvements proposed for 7<sup>th</sup> and 8<sup>th</sup> Streets between Washington Avenue and Ocean Drive. This Amendment will provide for continuity and coordination between work proposed at the median in Washington Avenue and the 7<sup>th</sup> and 8<sup>th</sup> Street intersection relating to the conversion of these two streets to one –way pairs as contemplated in the **Three Step Ocean Drive Concurrency Mitigation Plan – Step III** (reference City Resolution No. 2000 -24221 dated December 20, 2000). Additionally, adoption of the Amendment will demonstrate to the business owners along these corridors, the City's commitment to progress the completion of the right of way improvement program as expeditiously as possible through judicious use of available funding. It should be noted that the negotiated price for the Amendment work is consistent with pricing from the Washington Avenue project which was bid over two years ago.

As always, should you have any questions or comments, please do not hesitate to contact our office.

Very truly yours,

**HAZEN AND SAWYER, P.C.**

  
Andrew Gregson, P.E.  
Senior Associate

c: T. Hemstreet

File No. 4010D / 1.4

Page 1 of 1

MB: Ltr to CIP on addition of 7th and 8th to RMI contract.DOC

RECEIVED  
2006 JAN -6 AM 10:24  
CITY OF MIAMI BEACH  
CAPITAL IMPROVEMENT  
PROJECTS

COST PROPOSAL FOR THE 7TH & 8TH STREET IMPROVEMENTS AND FUND ALLOCATIONS						
Item	Const. cost	Mobilization	M.O.T	Design & CA	Bond @ 3% of Construction	Profit @ 5%
Water / Sewer Available Funding:						
Base Cost this Amendment -	\$235,730.00	\$20,000.00	\$5,269.60	\$21,725.00	\$ 7,829.99	\$ 14,136.23
Stormwater Available Funding:						
Base Cost this Amendment -	\$426,228.00	\$36,000.00	\$11,856.60	\$152,075.00	\$ 14,222.54	\$ 31,307.98
Streetscape Available Funding :						
Base Cost this Amendment -	\$541,128.00	\$24,000.00	\$9,221.80	\$43,450.00	\$ 17,230.49	\$ 30,889.99
<b>Total</b>	<b>\$1,203,086.00</b>	<b>\$80,000.00</b>	<b>\$26,348.00</b>	<b>\$217,250.00</b>	<b>\$ 39,283.02</b>	<b>\$ 76,334.20</b>
						<b>\$ 1,642,301.22</b>

**RESOLUTION NO. 2000-24221**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING A TRAFFIC MANAGEMENT PLAN FOR OCEAN DRIVE, AS RECOMMENDED BY BOTH THE OCEAN DRIVE IMPROVEMENT ASSOCIATION AND THE CITY'S TRANSPORTATION AND PARKING COMMITTEE; INSTRUCTING THE ADMINISTRATION TO PROCEED WITH THE IMPLEMENTATION OF THE THREE-STEP PLAN, WHICH IS FUNDED BY THE MIAMI-DADE COUNTY'S ROAD IMPACT FEE PROGRAM; THE FLORIDA DEPARTMENT OF TRANSPORTATION'S WORK PROGRAM; AND THE CITY'S CONCURRENCY MITIGATION PROGRAM/OCEAN DRIVE; AND FURTHER APPROPRIATING \$3,000 IN OCEAN DRIVE MITIGATION FUNDS FOR THE IMPLEMENTATION OF ACTION STEP I, SIGNAGE, IF NEEDED.**

**WHEREAS**, in 1999, the City began collecting concurrency mitigation funds from permitted development/redevelopment or change in use projects on Ocean Drive; and

**WHEREAS**, the purpose of these funds was to implement transportation projects that would help improve mobility and to better manage traffic congestion in and around the Ocean Drive area; and

**WHEREAS**, the City developed and submitted to the Ocean Drive Improvement Association a proposed Traffic Management Plan for Ocean Drive, composed of three Action Steps (the Plan); and

**WHEREAS**, these Action Steps are, in summary, the installation of signage/left-turn restrictions onto Ocean Drive; the installation of traffic signals on both Ocean Drive and Collins Avenue; and the one-way pairing of the side streets to Ocean Drive; and

**WHEREAS**, both the Ocean Drive Association and the City's Transportation and Parking Committee have endorsed the Plan; and

**WHEREAS**, funds to implement the Plan will be provided by the City's Concurrency Mitigation Program; the County Road Impact Fee Program; and the Florida Department of Transportation Work Program, respectively; and

**WHEREAS**, funds to design and implement Action Step I, the installation of signage (Left-Turn Restrictions) on 7th, 8th, 9th, 10th, 11th and 12th Streets, at Ocean Drive, needs to be appropriated from the City's Concurrency Mitigation Program/Ocean Drive fund.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve a Traffic Management Plan for Ocean Drive, as recommended by both the Ocean Drive Improvement Association and the City's Transportation and Parking Committee; instruct the Administration to proceed with the implementation of the three-step Plan, which is funded by the Miami-Dade County's Road Impact Fee Program; the Florida Department of Transportation's Work Program; and the City's Concurrency Mitigation Program/Ocean Drive; and further appropriate \$3,000 in Ocean Drive Mitigation Funds for the implementation of Action Step I, signage.

PASSED AND APPROVED this the 20th day of December, 2000.



MAYOR


ATTEST:



CITY CLERK

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

FIWORKSTRAMIAEMELLAVOCEANDILMEM

 12-13-00  
City Attorney Date

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
http://ci.miami-beach.fl.us



COMMISSION MEMORANDUM NO. 982-00

TO: Mayor Neisen O. Kasdin and  
Members of the City Commission

DATE: December 20, 2000

FROM: Jorge M. Gonzalez  
City Manager

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING A TRAFFIC MANAGEMENT PLAN FOR OCEAN DRIVE, AS RECOMMENDED BY BOTH THE OCEAN DRIVE IMPROVEMENT ASSOCIATION AND THE CITY'S TRANSPORTATION AND PARKING COMMITTEE; INSTRUCTING THE ADMINISTRATION TO PROCEED WITH THE IMPLEMENTATION OF A THREE-STEP PLAN, WHICH IS FUNDED BY THE MIAMI-DADE COUNTY'S ROAD IMPACT FEE PROGRAM; THE FLORIDA DEPARTMENT OF TRANSPORTATION'S WORK PROGRAM; AND THE CITY'S CONCURRENCY MITIGATION PROGRAM/OCEAN DRIVE; AND FURTHER APPROPRIATING \$3,000 IN OCEAN DRIVE MITIGATION FUNDS FOR THE IMPLEMENTATION OF ACTION STEP I, SIGNAGE, IF NEEDED.

## ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

## ANALYSIS

Approximately two years ago, the City began collecting concurrency mitigation funds from the permitted development/redevelopment or change in use projects for Ocean Drive. The purpose of these funds was to implement transportation projects that would help improve mobility and to better manage traffic congestion in and around the Ocean Drive area.

After holding several meetings with local stakeholders (including residential representatives), the City proposed a Traffic Management Plan for Ocean Drive, which was formally approved and endorsed by resolution of the Ocean Drive Improvement Association, meeting on November 14, 2000. The Plan includes three Action Step items designated to solve specific problems, as follows:

### Action Step I. Installation of Signage

Objective: Reduce the peak-hour directional split along Ocean Drive, which presently is 80% northbound and 20% southbound. This heavy directional movement contributes significantly to the traffic delays and congestion along the corridor during the evening peak hours.

FUNDING APPROVED

  
Manager of Management and Budget

AGENDA ITEM

R7G

DATE

12-20-00



**Solution:** Implementation of left-turn restrictions on side street approaches (Right Turn Only) onto Ocean Drive from 7th, 8th, 9th, 10th, 11th and 12th Streets. These turn restrictions will be enforced during peak times only, Thursdays through Sundays, from 10:00 p.m. to 4:00 a.m.

**Funding:** Signage preparation and installation will be done by the City utilizing \$3,000 in Ocean Drive Mitigation Program funds, which need to be appropriated for the purpose.

### **Action Step II - Installation of Traffic Signals**

**Objective:** Reduce the number of vehicles accessing Ocean Drive via 5th Street and 10th Street and create alternative points for easy entry. These two intersections require a great deal of police resources to manage the large number of vehicle and pedestrian movements.

**Solution:** Installation of two (2) new traffic signals along Ocean Drive, and two (2) on Collins Avenue. The new traffic signals would be located at the following intersections: 7th Street at Ocean Drive, and 11th Street at Ocean Drive; 7th Street at Collins Avenue, and 13th Street at Collins Avenue. The signal on Ocean Drive at 11th Street will be designed with a lead left turning arrow to facilitate northbound (Ocean Drive) to westbound (11th Street) movement. This feature will be added also to the existing 10th Street traffic signal. The installation of signals along Collins Avenue will be included as part of the Collins Avenue (5th to 15th Street) project.

**Funding:** The Ocean Drive signals at 7th and 11th Streets, as well as the addition of a lead left-turn arrow at 10th Street, will be funded and implemented by Miami-Dade County's Road Impact Fee Program. The Collins Avenue signals will be funded and installed as part of a Joint Participation Agreement (JPA) with the Florida Department of Transportation for the Collins Avenue project, from 5th to 15th Street, scheduled for construction in 2002-03.

### **Action Step III - Introduction of Street Flow Modification Measures**

**Objective:** Better control and management of vehicular traffic along the Ocean Drive corridor during late night, weekends, and special events, as well as increased effectiveness of police enforcement through the introduction of street flow modification measures.

**Solution:** Change certain east-west side streets to one direction, as a possible single lane connector links, between Ocean Drive and Washington Avenue. The recommended changes are as follows: 7th Street (eastbound) and 8th Street (westbound). The benefits and opportunities for additional one-way pairs will be analyzed further, as part of the Collins Avenue project.

*Commission Memorandum - 12/20/00*  
*Traffic Management Plan/Ocean Drive, Page 3*

Funding: These flow modifications are components of the scheduled FDOT project for Collins Avenue, from 5th to 15th Street, therefore funded by the State under a JPA for the project, which is schedule from construction in 2000-03.

As endorsed by the Ocean Drive Improvement Association on November 14, 2000, and by the Transportation and Parking Committee on December 4, 2000, the Administration recommends approval of the Ocean Drive Traffic Management Plan and its enabling Resolution.

  
JG/MS/H/AJ

F:\WORK\STRAVAMELIA\OCEANDR.MEM

\*\*\*\*\*

***Ocean Drive Improvement Association***

***804 Ocean Drive***

***Tel 305 531-4411***

***Miami Beach, Florida 33139***

***Fax 305 673-3106***

November 15, 2000

Joseph Johnson  
Director  
Office of Concurrency Management  
City of Miami Beach  
1700 Convention Center Drive  
Miami Beach, Florida 33139

Re: Ocean Drive Traffic Improvements

Dear Joseph,

During yesterday's monthly meeting of the Ocean Drive Improvement Association, the above referenced topic was placed on the agenda and you presented a conceptual plan, which covered future Ocean Drive traffic modifications.

The Association has passed a resolution, which embodies the following relative to the three main action points of the City's proposal.

**1. LEFT TURN RESTRICTIONS- 7TH, 8TH, 9TH, 10TH, 11TH AND 12TH STREETS**

Solution as suggested. These turn restrictions will be enforced at peak times only, Thursdays through Sundays, 10pm - 4am. Signage placement and design are a priority and must be reviewed by the Association.

**2. TRAFFIC SIGNALS ON 7TH AND 11TH STREETS.**

Solution as suggested. Additionally, the timing of the 10th Street traffic signal will be modified within the next thirty (30) days. Also, a new mast arm signal and controller will be installed on 10th Street when the 7th and 11th Street signals are installed. This will allow for proper signal control and traffic flow at peak and non peak times.

**3. ONE WAY PAIRS ON 7TH, 8TH and 13th WESTBOUND BETWEEN COLLINS AND WASHINGTON AVE**

Further study relative to the one lane or two lane streets, and the parking lane width configurations for 7th and 8th Streets.

Most sincerely,

  
Marlo Courtney  
Ocean Drive Association

cc Jorge Gonzalez; City Manager

## **RESOLUTION TO BE SUBMITTED**

**Condensed Title:**

A Resolution Approving an Amendment to the Boucher Brothers Beachfront Concession Agreement

**Key Intended Outcome Supported:**

Increase community satisfaction with City services

**Issue:**

Shall the Mayor and City Commission adopt the Resolution?

**Item Summary/Recommendation:**

On 10/17/01, the City approved a 5 year concession agreement with Boucher Brothers for the rental of lounge chairs, beach umbrellas, and personal watercraft, and sale of sundries, food and beverage on the beaches of Lummus Park, Ocean Terrace, and North Shore Open Space Park. The Agreement allows for one additional 5 year extension option, provided that Boucher Brothers is not in default. The Agreement further provided that the City and Boucher Brothers meet after the first contract year to discuss operational issues and concerns. Said discussions resulted in the an Amended and Restated Concession Agreement (ARCA) that was approved by the City on 5/18/05. Boucher informed of their intent to negotiate the 5 year renewal option. Since all previously outstanding concerns were addressed in the recently approved ARCA, only the approval of the 5 year extension option and newly proposed "Value Added" provisions are being requested. Said Value Added items Boucher would provided are: 1) \$10,000 in annual donations towards City approved marine, environmental, or child related philanthropic organizations; 2) assistance in supervision of cleanliness in Lummus Park; 3) sand sifting equipment and staff; 4) a minimum of 600 imprinted (message content at City discretion) lounge chair towels.

It is recommended that the Mayor and City Commission adopt the Resolution

**Advisory Board Recommendation:**

Finance and Citywide Projects Committee: Approval subject to seeking recommendations from Beach Preservation Committee and Marine Authority and input from the public.

Marine Authority: Approval with a recommendation that all personal watercraft have a visible, identifiable mark of ownership.

Beach Preservation Committee: Recommended that Boucher more closely monitor guidelines related to number of lounge chairs, and stacking and positioning of same.

**Financial Information:**

Source of Funds:	Amount	Account	Approved
1			
2			
3			
4			
<b>Total</b>			

OBPI

**Financial Impact Summary:**

**City Clerk's Office Legislative Tracking:**

Jose Damien, Extension 6727

**Sign-Offs:**

Asset Manager	Assistant City Manager	City Manager
JD 	TH 	

F:\DDHP\ALL\ASSET\BEACHFRN\PUBLIC\RFP\_2001\BOUCHER\BB\BLLC\_AmendmentToAmendedRestated.BUM.doc



MIAMI BEACH

AGENDA ITEM

R7E

DATE

1-11-06



# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: January 11, 2006

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH APPROVING AN AMENDMENT TO THAT CERTAIN AMENDED AND RESTATED BEACHFRONT CONCESSION AGREEMENT BY AND BETWEEN THE CITY AND BOUCHER BROTHERS MIAMI BEACH, LLC FOR THE OPERATION AND MANAGEMENT OF BEACHFRONT CONCESSIONS ON THE BEACHES SEAWARD OF LUMMUS PARK, OCEAN TERRACE, AND NORTH SHORE OPEN SPACE PARK; SAID AMENDMENT PROVIDING FOR RENEWAL OF THE AGREEMENT FOR FIVE (5) YEARS, SAID RENEWAL TERM COMMENCING ON NOVEMBER 5, 2006, AND ENDING ON NOVEMBER 4, 2011; AND PROVIDING FURTHER FOR CERTAIN VALUE ADDED ITEMS TO BE PROVIDED BY BOUCHER BROTHERS, AT NO ADDITIONAL COST TO THE CITY.**

### ADMINISTRATIVE RECOMMENDATION

Adopt the Resolution.

### ANALYSIS

On October 17, 2001, the Mayor and City Commission approved (via Resolution 2001-24646) a concession agreement between the City and Boucher Brothers Miami Beach LLC (BBMB) for the management and operation of beachfront concessions, including rental of lounge chairs, beach umbrellas, and personal watercraft, as well as the sale of sundries, and food and beverage on the beaches seaward of Lummus Park, Ocean Terrace, and North Shore Open Space Park (Concession Agreement). Said Concession Agreement provides for an initial five (5) year term, with one 5 year extension option, provided that BBMB was not in default.

In accordance with the terms of the Concession Agreement the City and BBMB met on several occasions after the first contract year to discuss concerns and operational issues that arose during the front-end of the initial contract term. Said discussion resulted in the development of an Amended and Restated Concession Agreement (ARCA) that was approved unanimously by the Mayor and City Commission on May 18, 2005 (via Resolution 2005-25884).

In a letter dated September 21, 2005, BBMB through their attorney, Abigail C. Watts-FitzGerald, of Hunton & Williams, LLP (attached as Exhibit A), notified the City of their intent to negotiate the five (5) year renewal option provided for in the Concession Agreement. Notice, which was timely provided, is required to be served upon the City during the 4th

contract year of the initial term. The Agreement further provides that the City and BBMB initiate negotiations, in good faith and using best efforts, no later than 180 days prior (i.e. May 1, 2006, approximately) to the end of the current term (i.e. November 4, 2006). The City Administration recommended that the matter be referred to the Finance and Citywide Projects Committee for discussion, and on October 19, 2005, the Mayor and City Commission referred same.

In light of the fact that outstanding issues and concerns were addressed in the recently approved ARCA, BBMB and the Administration have agreed that there are no contractual issues that require renegotiation at this time. As such, except for those "Value Added" provisions specifically outlined below, the balance of the provisions of the ARCA will not change, and will remain as provided in the ARCA and in ARCA Exhibit 1.2 as it relates to the acquisition of new capital equipment, ancillary concession-related capital improvements, and minimum monetary guarantee (attached hereto as Exhibit B).

On November 10, 2005, the Finance and Citywide Projects Committee reviewed and discussed the extension option and the items being proposed by BBMB for inclusion in this 5 year extension amendment are of a "Value Added" nature and would include, but not be limited to, new provisions which would require BBMB would provide:

1. An annual donation to the City, in the amount of five thousand (\$5000) dollars per year, throughout the renewal term, to be utilized by the City for scholarships and contributions to philanthropic organizations with emphasis on marine related and children-related recipients, based upon final determination as to recipient organization by the City.
2. An annual donation to the City, in the amount of five thousand (\$5000) dollars per year, throughout the renewal term, to be utilized by the City in support of environmental organizations and/or programs such as Environmental Coalition of Miami Beach (ECOMB), based upon final determination as to recipient organization by the City.
3. Assistance (throughout the renewal term) in supervision of cleanliness in Lummus Park (including the area outside of the Concession Area(s) beginning at the west foot of the sand dunes and extending westerly to, and including the east sidewalk of Ocean Drive. Additionally, Concessionaire will provide, at its sole cost and expense, sand sifting equipment and staff appropriately certified to operate same (within Concession Areas), as an additional requirement of its maintenance responsibilities.
4. Concessionaire shall establish and maintain, throughout the renewal term, a lounge chair towel program in the "Luxury" areas of the Concession Areas that would provide for the promotion of the City of Miami Beach. Said "promotional towel" program would provide for a minimum of 600 imprinted lounge chair towels (which shall be replaced with 600 new imprinted towels at least once during the five (5) year renewal term), with the content of the imprinted message to be determined by the City, at its sole discretion.

The proposed "Value Added" items have been offered by BBMB as their continued efforts to support the Miami Beach community.

The Finance and Citywide Projects Committee supported the extension and the concept of the "Value Added" provisions and recommended that input be sought from the Marine Authority and Beach Preservation Committee. They also recommended that public comment



be sought on the matter. The Administration recently conducted an informal polling of beach patrons, on three separate days, within the beach concession areas seaward of Lummus Park. Approximately 60 patrons were approached and asked about their level of satisfaction with the services received; of the 35 patrons who participated, all responded positively with regard to the service received, rating the service either 4 or 5 (on scale of 1 to 5, with 5 being the best).

On Tuesday December 13, 2005, the matter was presented to the Marine Authority and Beach Preservation Committee which provided the following comments and suggestions:

- Marine Authority: Recommended that Boucher Brothers mark all personal watercraft have a visible, identifiable mark of ownership.
- Beach Preservation Committee: Recommended that Boucher Brothers more closely monitor compliance with contractual guidelines related to number of lounge chairs on the beachfront, and stacking and positioning of same.

Additionally, it was mutually agreed that a duly noticed joint meeting of the Marine Authority and Beach Preservation Committee be held on January 10, 2006, to obtain public comment on the issue. A verbal report on the results of the public comments received at said joint meeting will be provided to the Mayor and City Commission this Wednesday, January 11, 2006.

It is recommended that final recommendation of recipients of the "value added" environmental and scholarship funding be made in concert with recommendations made by the Finance and Citywide Projects Committee, Beach Preservation Committee, and Marine Authority.

Below is an outline of the salient points that will be addressed, going forward, in accordance with the provisions of the 5 year extension term:

- Sub-section 1.2 of the ARCA provides that if the renewal option is approved, the purchase of new beach equipment would be required.
  - "Concessionaire shall deliver to City, at least 180 days prior to the expiration of the initial term, i) a schedule of any equipment which was replaced during the initial term, and ii) an itemized list of proposed replacement equipment; both to be delivered to, reviewed, and approved by the City prior to commencement of negotiations for a renewal term."
  - The list of replaced equipment (Exhibit C) during the initial term and proposed new capital equipment and ancillary concession-related capital improvements (Exhibit D) are also attached hereto.
  - Replacement schedule new equipment is to be delivered after 120 days of commencement of the renewal term, and have a minimum threshold value of no less than of \$500,000, and a maximum value of \$800,000. The attached schedules also reflect that if the City determines that the full \$800,000 be expended, then \$680,000 shall be expended on new equipment and the balance of \$120,000 shall be used to purchase ancillary concession-related capital improvements.

- The New Minimum Guarantee amount due to the City during the 5 year renewal term shall be calculated in accordance with the terms outlined in ARCA Exhibit 1.2.
- Other considerations with regard to Equipment Replacement Schedules, relative to Ancillary Expenses, would include the replacement of personal watercraft (e.g. wave-runners and/or jet skis), concession storage facilities, concession dispensing facilities, all terrain vehicles, towels, etc.

### **CONCLUSION**

The Administration recommends that the Mayor and City Commission adopt the attached Resolution approving a First Amendment to that certain Amended and Restated Beachfront Concession Agreement by and between the City and Boucher Brothers Miami Beach, LLC, including authorization of the five (5) year extension option and those certain "Value Added" items to be provided by Boucher Brothers at no additional cost to the City.

JMG:TH:JD:rlr

T:\AGENDA\2006\jan1106\Regular\BBMBLLC\_AmendmentToAmendedRestated.MEM.doc



HUNTON & WILLIAMS LLP  
1111 BRICKELL AVENUE  
SUITE 2500  
MIAMI, FLORIDA 33131-1802

2005 SEP 26 11:59  
TEL 305 • 810 • 2500  
FAX 305 • 810 • 2460

ABIGAIL WATTS-FITZGERALD  
DIRECT DIAL: 305-810-2513  
EMAIL: awf@hunton.com

September 21, 2005

FILE NO: 59348.11

Mr. Jorge M. Gonzalez  
City Manager  
City of Miami Beach  
1700 Convention Center Drive  
Miami Beach, FL 33139

Re: Notice of Intent to Negotiate the Renewal of that certain Amended and Restated Concession Agreement between the City of Miami Beach, Florida and Boucher Brothers Miami Beach, LLC for Management and Operation of Beachfront Concessions Pursuant to Request for Proposals No. 22-00/01, dated May 18, 2005 (the "Beach Concession Agreement")

Dear Mr. Gonzalez:

I represent Boucher Brothers Miami Beach, LLC. Please allow this letter to serve as a notice of intent to negotiate the renewal of the Beach Concession Agreement between the City of Miami Beach and Boucher Brothers Miami Beach, LLC.

On behalf of my client, we hereby give formal written notice of our intent to negotiate the renewal of the Beach Concession Agreement pursuant to Section 1.2 on or about November 7, 2005:

Provided that the Concessionaire is not in default under Section 13 hereof, commencing upon written notice from Concessionaire to the City, which notice shall be given in the fourth contract year of the initial term (November 5, 2004 - November 4, 2005) and then no later than 180 days prior to expiration of said term, Concessionaire and the City shall negotiate exclusively with each other in good faith for a period of sixty (60) days to extend the term of this Agreement for an additional five (5) year period. Each of the parties agrees to use its respective best efforts to negotiate such an extension on such reasonable terms and conditions that are mutually agreed upon, excepting the financial terms set forth in Exhibit 1.2 hereto. The parties acknowledge and agree that the financial terms set forth in Exhibit 1.2 for such renewal term are fair and reasonable. In the event of such renewal, the financial terms contained in

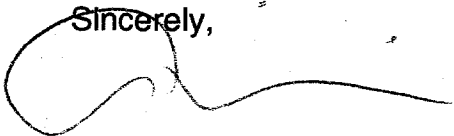
Mr. Jorge M. Gonzalez  
September 21, 2005  
Page 2

Exhibit 1.2 shall be the financial terms of the agreement pertaining to the renewal term of the Agreement. Any such renewal shall require Concessionaire to purchase new equipment for the renewal term, subject to the prior written approval of the City. Concessionaire shall deliver to City, at least 180 days prior to the expiration of the initial term, (i) a schedule of any equipment which was replaced during the initial term, and (ii) an itemized list of proposed replacement equipment; both to be delivered to, reviewed, and approved by the City prior to commencement of negotiations for a renewal term.

We acknowledge and agree that any renewal would be subject to the Boucher Brothers continuing compliance for the remaining term under the current agreement. Please note that the advance payment of the final year of the initial term (leaving only the year end "True Up"); will take place prior to any negotiation of the Renewal Term.

The Boucher Brothers recognize the honor and privilege of operating the Beach Concession for the City of Miami Beach. My clients look forward to the continuance of a wonderful relationship with your Administration and City Commission; while servicing the public on Miami Beach. We look forward to your response.

Sincerely,



Abigail C. Watts-FitzGerald

cc: Boucher Brothers Miami Beach, LLC  
Murray Dubbin, Esq.  
Raul Aguilar, Esq.  
Robert Middaugh  
Jose Damien  
Robert Reboso

# EXHIBIT 1.2

## FINANCIAL TERMS APPLICABLE TO RENEWAL TERM

1. With regard to the equipment, as same is defined in Exhibit 3.1.3 (i.e. chairs, umbrellas, sun canopies, storage/work facilities, storage, and food and beverage trailers), contemplated to be used by Concessionaire during the renewal term, Concessionaire shall acquire by purchase or lease (provided, in the event of a lease, the terms of the lease shall be subject to the approval of the City Manager or his designee), within 120 days after the commencement of the renewal term, new equipment. Such equipment shall have a value of no less than five hundred thousand dollars (\$500,000), and no greater than eight hundred thousand dollars (\$800,000); provided, that in the event that the City requires that Concessionaire acquire equipment having a value of eight hundred thousand dollars (\$800,000), Concessionaire shall acquire equipment having a value of at least \$680,000, and Concessionaire shall acquire ancillary concession-related capital improvements having a value of at least \$120,000; provided, however, to the extent Concessionaire acquires ancillary concession-related capital improvements having a value of less than \$120,000, then Concessionaire agrees to acquire equipment having a value equal to the difference between \$120,000 and the value of the ancillary concession-related capital improvements so acquired. The City Manager or his designee shall approve any proposed acquisition of equipment contemplated in this Paragraph 1 prior to Concessionaire's order of same.
2. The yearly fee due to the City as a result of beachfront equipment rentals and the sale of Skin Care Products shall be the greater of (a) the amount of the beachfront equipment and sale of Skin Care Products fee minimum guarantee (\$388,288, without options; \$449,549 with options) applicable to the fifth year of the original term of the Agreement, and (b) the amount of the average, over the original five year term of the Agreement, of the annual percentage beachfront equipment and sale of Skin Care Products fee with or without options, as applicable. This yearly fee (i.e., the greater of (a) and (b)) will be escalated annually at the rate of 5% during the renewal term.
3. The yearly fee due to the City as a result of food and beverage sales shall be the greater of (a) the amount of the food and beverage fee minimum guarantee (\$143,581) to the City applicable to the fifth year of the original term of the Agreement, and (b) the amount of the average, over the original five year term of the Agreement, of the annual percentage food and beverage fee to the City. This yearly fee (i.e., the greater of (a) and (b)) will be escalated annually at the rate of 5% during the renewal term.

# LUMMUS PARK SUPPLEMENTAL INVENTORY

INVOICE	QTY	DESCRIPTION	PRICE EACH	Total	DATE
740A	18	Flat Top Beach Concession 7.5' Umbr, Manual, pointed Wood Pole. Fab: Pac Blue Marine grade	\$109.00	\$1,962.00	3/15/2003
794	18	Flat Top Beach Concession 7.5' Umbr, Manual, pointed Wood Pole. Fab: Pac Blue Marine grade	\$116.50	\$2,097.00	4/4/2003
996	101	Beach Umbrella 7.5', push-up, fiberglass ribs, pointed wood pole. Acrylic Fab: Natural Marine grade Sunbrella	\$147.00	\$14,847.00	3/20/2004
1021	50	Beach Umbrella 7.5', Euro, push-up, Alum HD hubs, plastic coated steel ribs, pointed wood pole. Acrylic Fab Pac Blue	\$134.00	\$6,700.00	4/30/2005
1223	57	Beach Concession Umbrella Heavy duty 7.5' decagonal, push-up, Nylon HD hubs, 10 anti-rust ribs, pointed ashwood pole w/ stainless steel latch, stainless steel cap and stainless steel fasteners. Fab: Pac Blue	\$135.00	\$7,695.00	12/30/2004
1261	33	Beach Concession Umbrella Heavy duty 7.5' decagonal, push-up, Nylon HD hubs, 10 anti-rust ribs, pointed ashwood pole w/ stainless steel latch, stainless steel cap and stainless steel fasteners. Fab: marine grade pacific blue	\$135.00	\$4,455.00	2/8/2005
1478	65	Beach Concession Umbrella Heavy duty 7.5' decagonal, push-up, Nylon HD hubs, 10 anti-rust ribs, pointed ashwood pole w/ stainless steel latch, stainless steel cap and stainless steel fasteners. Marine acrylic Fab Pac Blue	\$129.00	\$8,385.00	8/11/2005
1479	35	Beach Concession Umbrella Heavy duty 7.5' decagonal, push-up, Nylon HD hubs, 10 anti-rust ribs, pointed ashwood pole w/ stainless steel latch, stainless steel cap and stainless steel fasteners. Marine acrylic Fab Pac Blue	\$129.00	\$4,515.00	8/17/2005
1080	30	Deluxe extra wide beach cushion, size 3.5x26.5/29 x 78.5 brk 28, box 3-1/4" with double white vinyl welting, sq. corners Foam filled. Fab: Marine grade Pacific Blue	\$94.00	\$2,820.00	5/4/2004
1174	50	Deluxe extra wide beach cushion, size 3.5x26.5/29 x 78.5 brk 28, box 3-1/4" with double white vinyl welting, sq. corners.	\$94.00	\$4,700.00	10/27/2004
995	60	Deluxe extra wide beach cushion	\$94.00	\$5,640.00	4/9/2004

918	3	Beach Cabana replacement cover 68" wide - new	\$235.00	\$705.00	10/22/2003
	1	Beach Cabana replacement cover 68" wide - new	\$235.00	\$235.00	
	1	Beach Cabana replacement cover 68" wide - new	\$235.00	\$235.00	
	17	Beach Cabana replacement cover 68" wide	\$235.00	\$3,995.00	11/14/2003
954	3	Beach Cabana replacement cover 68" wide	\$235.00	\$705.00	
	5	Beach Cabana replacement cover 68" wide	\$235.00	\$1,175.00	1/15/2004
1026	8	Beach Cabana replacement cover 68" wide. Awning Fabric Solid Color	\$235.00	\$1,880.00	4/30/2005
1225	2	Beach Cabana replacement cover 68" wide. Awning Fabric Solid Color Pac Blue	\$235.00	\$470.00	12/9/2004
1428	5	Beach Cabana replacement cover 68" wide. Awning Fabric Solid Color Pac Blue	\$235.00	\$1,175.00	7/13/2005
1478	3	Beach Cabana replacement cover 68" wide. Awning Fabric Solid Color Pac Blue	\$235.00	\$705.00	8/11/2005
	7	Beach Cabana, 72" wide aluminum frame, four panel. Awning Fabric Pac Blue - one panel textile royal blue	\$315.00	\$2,205.00	

	10	8X8X5 Storages boxes			
	8	8X8X5 Storages boxes	\$800.00	\$8,000.00	4/10/2004
			\$800.00	\$6,400.00	9/28/2005
	50	Luxury Lounge Chairs	\$225.00	\$11,250.00	1/01/2005

\$102,951.00

EXHIBIT C

<b>Description</b>	<b>Type</b>	<b>Quantity</b>	<b>Amount</b>	<b>Extension</b>
Standard Chairs	Equipment	2,100	\$ 110.00	\$ 231,000.00
Luxury Chairs	Equipment	300	\$ 225.00	\$ 67,500.00
Standard Pads	Equipment	2,100	\$ 39.00	\$ 81,900.00
Luxury Pads	Equipment	300	\$ 94.00	\$ 28,200.00
Umbrellas	Equipment	840	\$ 135.00	\$ 113,400.00
Cabanas	Equipment	135	\$ 315.00	\$ 42,525.00
Towels	Ancillary	900	\$ 15.00	\$ 13,500.00
<b>Total</b>				<b>\$ 578,025.00</b>
 Supplimental Equipment	 2001-2005	 See Schedule		 <b>\$ 102,951.00</b>
 <b>Grand Total</b>				 <b>\$ 680,976.00</b>

## EXHIBIT D

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH APPROVING AN AMENDMENT TO THAT CERTAIN AMENDED AND RESTATED BEACHFRONT CONCESSION AGREEMENT BY AND BETWEEN THE CITY AND BOUCHER BROTHERS MIAMI BEACH, LLC FOR THE OPERATION AND MANAGEMENT OF BEACHFRONT CONCESSIONS ON THE BEACHES SEAWARD OF LUMMUS PARK, OCEAN TERRACE, AND NORTH SHORE OPEN SPACE PARK; SAID AMENDMENT PROVIDING FOR RENEWAL OF THE AGREEMENT FOR FIVE (5) YEARS, SAID RENEWAL TERM COMMENCING ON NOVEMBER 5, 2006, AND ENDING ON NOVEMBER 4, 2011; AND PROVIDING FURTHER FOR CERTAIN VALUE ADDED ITEMS TO BE PROVIDED BY BOUCHER BROTHERS, AT NO ADDITIONAL COST TO THE CITY**

**WHEREAS**, on February 21, 2001, the Mayor and City Commission of the City of Miami Beach, Florida (City), authorized the issuance of a Request for Proposals (RFP) for the operation and management of beachfront concessions on the beaches seaward of Lummus Park, Ocean Terrace, and North Shore Open Space Park, and same was subsequently issued; and

**WHEREAS**, on July 18, 2001, the Mayor and City Commission authorized the City Administration to negotiate with Boucher Brothers Miami Beach, LLC, as the successful proposer; and

**WHEREAS**, the City Administration successfully negotiated said Concession Agreement with Boucher Brothers Miami Beach, LLC, for the operation and management of beachfront concessions including beach equipment rentals, food and beverage sales, and watersport rentals on the beaches seaward of Lummus Park, Ocean Terrace and North Shore Open Space Park; said Agreement commenced on November 5, 2001, and is set to expire November 4, 2006, with an option to renew for an additional five (5) year term as provided herein; and

**WHEREAS**, said Concession Agreement provided for the City and Boucher Brothers Miami Beach LLC, after the end of each contract year, to meet to review their performance for the previous contract year to discuss and address quality, operational, maintenance and other issues; and

**WHEREAS**, as a result of said review process, the City and Boucher Brothers Miami Beach LLC entered into the Amended and Restated Concession Agreement dated May 18, 2005 (the "Amended and Restated Agreement"); and



**WHEREAS**, on November 10, 2005, the City's Finance and Citywide Projects Committee did not recommend reopening any issues with respect to the renewal term under the Amended and Restated Agreement, except for certain "value added" enhancements offered by Boucher Brothers, and that the balance of the provisions of the Amended and Restated Agreement will not change, and as same relate to the acquisition of new capital equipment, ancillary concession-related capital improvements, and minimum monetary guarantee will remain; and

**WHEREAS**, the Administration would recommend that the Mayor and City Commission approve the attached Amendment to the Amended and Restated Agreement, providing for the renewal term, which will commence on November 5, 2006, and end on November 4, 2011, and further providing for the inclusion of certain value added items, to be provided by Concessionaire at no cost to the City.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Clerk be authorized to execute an amendment to that certain Amended and Restated Beachfront Concession Agreement by and between the City and Boucher Brothers Miami Beach, LLC for the operation and management of beachfront concessions on the beaches seaward of Lummus Park, Ocean Terrace, and North Shore Open Space Park; said amendment providing for renewal of the agreement for five (5) years, said renewal term commencing on November 5, 2006, and ending on November 4, 2011; and providing further for certain value added items to be provided by Boucher Brothers, at no additional cost to the City.

**PASSED AND ADOPTED THIS 11<sup>th</sup> day of January, 2006.**

**Attest:**

\_\_\_\_\_  
**CITY CLERK**

\_\_\_\_\_  
**MAYOR**

JMG:TH:JD:rlr

F:\DDHP\5ALL\ASSET\BEACHFRN\PUBLIC\RFP\_2001\BOUCHER\BBMBLLC\_AMENDMENTTOAMENDEDRESTATED.RES.DOC

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

 1-6-06  
City Attorney Date

**AMENDMENT TO  
AMENDED AND RESTATED  
CONCESSION AGREEMENT BETWEEN  
CITY OF MIAMI BEACH, FLORIDA AND  
BOUCHER BROTHERS MIAMI BEACH LLC  
FOR MANAGEMENT AND OPERATION OF BEACHFRONT CONCESSIONS**

**PURSUANT TO REQUEST FOR PROPOSALS NO. 22-00/01**

THIS **AMENDMENT TO THE AMENDED AND RESTATED CONCESSION AGREEMENT** made the 11<sup>th</sup> day of January, 2006, but effective as of November 5, 2006 (the "Effective Date"), between the **CITY OF MIAMI BEACH**, a municipal corporation of the State of Florida (hereinafter called "City"), having its principal address at 1700 Convention Center Drive, Miami Beach, Florida, 33139, and **BOUCHER BROTHERS MIAMI BEACH LLC**, a limited liability company of the State of Florida, with offices at 420 Lincoln Road, Suite 265, Miami Beach, Florida, 33139 (hereinafter called "Concessionaire").

WITNESSETH

**WHEREAS**, on February 21, 2001, the Mayor and City Commission of the City of Miami Beach, Florida (City), authorized the issuance of a Request for Proposals (RFP) for the operation and management of beachfront concessions on the beaches seaward of Lummus Park, Ocean Terrace, and North Shore Open Space Park, and same was subsequently issued; and

**WHEREAS**, on July 18, 2001, the Mayor and City Commission authorized the City Administration to negotiate with Boucher Brothers Miami Beach, LLC, as the successful proposer; and

**WHEREAS**, the City Administration successfully negotiated said Concession Agreement with Boucher Brothers Miami Beach, LLC, for the operation and management of beachfront concessions including beach equipment rentals, food and beverage sales, and watersport rentals on the beaches seaward of Lummus Park, Ocean Terrace and North Shore Open Space Park; said Agreement commenced on November 5, 2001, and is set to expire November 4, 2006, with an option to renew for an additional five (5) year term as provided herein; and

**WHEREAS**, said Concession Agreement provided for the City and Boucher Brothers Miami Beach LLC, after the end of each contract year, to meet to review their performance for the previous contract year to discuss and address quality, operational, maintenance and other issues; and

**WHEREAS**, as a result of said review process, the City and Boucher Brothers Miami Beach LLC entered into the Amended and Restated Concession Agreement dated May 18, 2005 (the "Amended and Restated Agreement"); and

**WHEREAS**, on November 10, 2005, the City's Finance and City Wide Projects Committee did not recommend reopening any issues with respect to the renewal term under the Amended and Restated Agreement, except for certain "value added" enhancements offered by Boucher Brothers, and that the balance of the provisions of the Amended and Restated Agreement will not change, and as same relate to the acquisition of new capital equipment, ancillary concession-related capital improvements, and minimum monetary guarantee will remain as provided in Exhibit 1.2 thereof;

**NOW THEREFORE**, in consideration of the premises and the mutual covenants and conditions herein contained and other good and valuable consideration, the receipt and adequacy of which are hereby conclusively acknowledged, it is agreed by the parties hereto to amend the Amended and Restated Agreement as follows effective as of the Effective Date:

1. In accordance with the provisions of Section 1.2 of the Amended and Restated Agreement, and following written notice from Concessionaire to the City, as provided therein, the parties hereby agree to extend the term of said Agreement for the additional five (5) year renewal term, as also provided in said Section 1.2. Accordingly, said renewal term shall commence on November 6, 2006 and terminate on November 5, 2011.

2. Section 3 is amended to add a new Section 3.9 as follows:

**3.9 Value Added Enhancements.**

Concessionaire agrees to provide the following additional "value added" enhancements:

- a. An annual donation to the City, in the amount of five thousand (\$5000) dollars per year, throughout the renewal term, to be utilized by the City for scholarships and contributions to philanthropic organizations with emphasis on marine related and children-related recipients, based upon final determination as to recipient organization by the City.
- b. An annual donation to the City, in the amount of five thousand (\$5000) dollars per year, throughout the renewal term, to be utilized by the City in support of environmental organizations and/or programs such as Environmental Coalition of Miami Beach (ECOMB), based upon final determination as to recipient organization by the City.

All monetary donations, as delineated in 3.9(a) and 3.9(b) above, shall be submitted to the City, in full, at the commencement of each contract year, as defined in Subsection 1.1 of the Amended and Restated Agreement.

- c. Assistance (throughout the renewal term) in supervision of cleanliness in Lummus Park (including the area outside of the Concession Area(s) beginning at the west foot of the sand dunes and extending westerly to, and including the east sidewalk of Ocean Drive. Additionally, Concessionaire will provide, at its sole and expense, sand sifting equipment (as reflected in Exhibit A hereto) and staff appropriately certified to operate same (within Concession Areas), as an additional requirement of its maintenance responsibilities.
- d. Concessionaire shall establish and maintain, throughout the renewal term, a lounge chair towel program in the "Luxury" areas of the Concession Areas that would provide for the promotion of the City of Miami Beach (an example is attached hereto as Exhibit B). Said "promotional towel" program would provide for a minimum of 600 imprinted lounge chair towels (which shall be replaced with 600 new imprinted towels at least once during the five (5) year renewal term), with the content of the imprinted message to be determined by the City, at its sole discretion.
4. Except as amended hereby, the Amended and Restated Agreement remains in full force and effect and is reconfirmed for all purposes.
5. This Agreement may be executed in counterparts and facsimile signatures are as effective as an original signature and constitute valid delivery thereof.

**IN WITNESS WHEREOF**, the parties hereto have caused their names to be signed and their seals to be affixed, all as of the day and year first above written, indicating their agreement.

Attest:

**CITY OF MIAMI BEACH, FLORIDA**

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

Attest:

**BOUCHER BROTHERS MIAMI BEACH LLC**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Signature

\_\_\_\_\_  
(Print Name and Title of Signatory)

\_\_\_\_\_  
(Print Name and Title of Signatory)

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**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

  
\_\_\_\_\_  
City Attorney      Date 1/5/06

## DELFINO BEACHCLEANER

### TECHNICAL FEATURES

width: 860 mm  
height: 870 mm  
length: 1580 mm  
weight: 180 kg  
characteristics

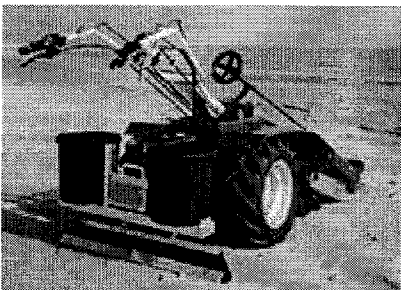
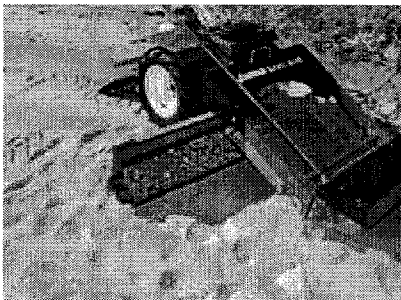
- 5.5 hp, 4 stroke engine c/w revolution regulator and super-silenced muffler.
- Working depth from 0 - 10 cm, working width: 75 cm.
- Oil bathed transmission c/w clutch.
- Equipped with separate fast disengage controls for both sifter and pick-up drum.
- Independent continuous revolution P.T.O shaft for different uses like pump, washing, compressor, electro generator and others on request.
- It is possible to fit a small rear scraper or a small rear rake.
- Cleaning performances: 2500 m<sup>2</sup>/h.

MACHINE CONFORMING TO "CE" NORMS



## SAND MAN 850

<b>Length</b>	102 in / 258 cm
<b>Screen Openings</b>	3/16, 3/8, 9/16 inch / 48mm, 95mm, 143mm
<b>Width</b>	34 in / 86 cm
<b>Height</b>	42 in / 107cm
<b>Volume of Collector</b>	5.3 gal / 20 ltr
<b>Weight</b>	617 lbs / 280kg
<b>Volume Total Debris</b>	14 gal / 54 ltr/1.9 cu. ft
<b>Working Width</b>	33 in / 85 cm
<b>Gas Engine</b>	Honda 5.5 HP air-cooled gasoline engine, 4 stroke. Two speeds in both forward & reverse.
<b>Working Depth</b>	0-4 in / 0-10 cm
<b>Drive System</b>	Direct gear drive (Differential lock included)
<b>Area Cleaned</b>	15,000-35,000 sq./ft/hr / 1,400-3,200 sq.meter/hr
<b>Ground Clearance</b>	4 in / 10 cm
<b>Working Speed</b>	1.1-3.4 mph / 1.8-5.5 kph
<b>Tires</b>	23" x 10.5-12" NHS Floatation
<b>Debris removed</b>	Broken glass, plastic, cigarette butts, pop-tops, straws, shells, stones, small pieces of wood
<b>Options</b>	Front Plow Device: for moving and contouring. Detachable Riding Seat for transport Front transport wheel: for transport on sidewalks
<b>Applications</b>	Any sandy surface including beaches, volleyball courts, sand bunkers and playgrounds.
<b>Warranty</b>	H. Barber & Sons, Inc. warrants the SAND MAN to be free from defects in parts and workmanship for 500 hours or one year, whichever occurs first.





**Exhibit B**

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10/1/11 10:00 AM

10/1/11 10:00 AM



# MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

OFFICE OF THE CITY CLERK, Robert Parcher, City Clerk  
Tel: 305-673-7411, Fax: 305-673-7254

## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** January 11, 2006

**From:** Jorge M. Gonzalez  
City Manager

**Subject:** BOARD AND COMMITTEES

### BACKGROUND:

Attached are the applicants that have filed with the City Clerk's Office for Board and Committee appointments.

### ADMINISTRATION RECOMMENDATION:

That appointments be made as indicated.

### VACANCIES

BOARD OR COMMITTEE:	TOTAL MBRS.	APPOINTED BY:	TOTAL VAC.	PAGE
Art in Public Places	7	City Commission	3	Page 1
Audit Committee	5	City Commission	5	
Barrier Free Environment Committee	13	Commissioner Matti H. Bower Commissioner Richard L. Steinberg	1 1	Page 2
Beach Preservation Board	10	Commissioner Luis R. Garcia, Jr. Commissioner Richard L. Steinberg	1 1	Page 3
Beautification Committee	8	Commissioner Jerry Libbin Commissioner Luis R. Garcia, Jr. Commissioner Richard L. Steinberg	1 1 1	Page 4

**AGENDA ITEM**  
**DATE**

R9A  
1-11-06

## VACANCIES

BOARD OR COMMITTEE:	TOTAL MBRS.	APPOINTED BY:	TOTAL VAC.	PAGE
Board of Adjustment	7	City Commission	8	
Budget Advisory Committee	9	City Commission	1	Page 5
		Commissioner Richard L. Steinberg	1	
Committee for Quality Education in MB	16	Commissioner Jerry Libbin	1	Page 6
		Commissioner Richard L. Steinberg	1	
Committee on the Homeless	9	Commissioner Matti H. Bower	1	Page 8
		Commissioner Simon Cruz	1	
		Mayor David Dermer	1	
Community Development Advisory Committee	14	Commissioner Jerry Libbin	2	Page 9
		Commissioner Luis R. Garcia, Jr.	1	
		Commissioner Matti H. Bower	1	
		Commissioner Richard L. Steinberg	2	
		Mayor David Dermer	1	
Community Relations Board	17	Commissioner Matti H. Bower	1	Page 10
		Commissioner Richard L. Steinberg	1	
		Commissioner Simon Cruz	1	
		Jorge M. Gonzalez, City Manager	1	
		Mayor David Dermer	1	
Convention Center Advisory Board	7	Commissioner Matti H. Bower	1	Page 11
Design Review Board	7	City Commission	4	Page 13
Fine Arts Board	14	Commissioner Luis R. Garcia, Jr.	1	Page 15
		Commissioner Matti H. Bower	1	
		Commissioner Richard L. Steinberg	1	
		Mayor David Dermer	1	

**AGENDA ITEM** \_\_\_\_\_  
**DATE** \_\_\_\_\_

## VACANCIES

BOARD OR COMMITTEE:	TOTAL MBRS.	APPOINTED BY:	TOTAL VAC.	PAGE
Golf Advisory Committee	12	Commissioner Jerry Libbin	1	Page 16
		Commissioner Matti H. Bower	1	
		Commissioner Saul Gross	1	
		Mayor David Dermer	1	
Health Advisory Committee	11	City Commission	4	Page 17
Health Facilities Authority Board	6	City Commission	2	Page 19
Hispanic Affairs Committee	7	Commissioner Jerry Libbin	1	Page 20
		Commissioner Matti H. Bower	1	
		Commissioner Richard L. Steinberg	1	
		Mayor David Dermer	1	
Historic Preservation Board	7	City Commission	2	Page 21
Housing Authority	5	Mayor David Dermer	3	Page 22
Loan Review Committee	7	Commissioner Luis R. Garcia, Jr.	1	Page 23
		Commissioner Matti H. Bower	1	
		Mayor David Dermer	1	
Marine Authority	7	Commissioner Luis R. Garcia, Jr.	1	Page 24
		Commissioner Richard L. Steinberg	1	
		Commissioner Simon Cruz	1	
		Mayor David Dermer	1	
Miami Beach Commission on Status of Women	21	Commissioner Jerry Libbin	1	Page 25
		Commissioner Matti H. Bower	3	
		Commissioner Richard L. Steinberg	1	
		Commissioner Simon Cruz	1	
		Commissioner Simon Cruz	1	
		Mayor David Dermer	2	

**AGENDA ITEM** \_\_\_\_\_  
**DATE** \_\_\_\_\_

## VACANCIES

BOARD OR COMMITTEE:	TOTAL MBRS.	APPOINTED BY:	TOTAL VAC.	PAGE
Miami Beach Cultural Arts Council	9	City Commission	6	Page 26
Miami Beach Sister Cities Program	24	Mayor David Dermer	9	Page 28
Parks and Recreational Facilities Board	10	Commissioner Luis R. Garcia, Jr. Commissioner Matti H. Bower Commissioner Richard L. Steinberg	1 1 1	Page 30
Personnel Board	10	City Commission	3	Page 31
Planning Board	7	City Commission	4	Page 32
Police Citizens Relations Committee	17	Commissioner Jerry Libbin Commissioner Luis R. Garcia, Jr. Mayor David Dermer	1 1 2	Page 34
Production Industry Council	7	Commissioner Jerry Libbin Commissioner Richard L. Steinberg	1 1	Page 36
Public Safety Advisory Committee	7	Commissioner Richard L. Steinberg Mayor David Dermer	1 1	Page 37
Safety Committee	14	Commissioner Jerry Libbin Commissioner Luis R. Garcia, Jr. Commissioner Richard L. Steinberg Commissioner Simon Cruz Mayor David Dermer	1 1 2 1 1	Page 38
Transportation and Parking Committee	19	Commissioner Richard L. Steinberg	1	Page 39

**AGENDA ITEM** \_\_\_\_\_  
**DATE** \_\_\_\_\_

## VACANCIES

BOARD OR COMMITTEE:	TOTAL MBRS.	APPOINTED BY:	TOTAL VAC.	PAGE
Visitor and Convention Authority	7	City Commission	5	Page 41

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Attached is breakdown by Commissioner or City Commission:

JMG:REP/lg

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# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission  
FROM: Jorge M. Gonzalez, City Manager *Jorge*  
DATE: January 11, 2006  
SUBJECT: **BOARD AND COMMITTEE APPOINTMENTS – CITY COMMISSION APPOINTMENTS**

### ADMINISTRATION RECOMMENDATION

Make appointments as indicated.

### BOARDS AND COMMITTEES

1. Art in Public Places (three appointments)
2. Audit Committee (as determined by the City Commission)
3. Board of Adjustment (seven appointments)
4. Budget Advisory Committee (one appointment)
5. Design Review Board (four appointments)
6. Health Advisory Committee (four appointments)
7. Health Facilities Authority Board (two appointments)
8. Historic Preservation Board (two appointments)
9. Miami Beach Cultural Arts Council (six appointments)
10. Oversight Committee for General Obligation Bond (three appointments)
11. Personnel Board (three appointments)
12. Planning Board (four appointments)
13. Visitors and Convention Authority (five appointments)

*RJP*  
JMG/REP

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Agenda Item R9A1  
Date 1-11-06



## **COMMISSION COMMITTEE APPOINTMENTS**

1. Art in Public Places (three appointments)

# Board and Committees Current Members

## Art in Public Places

Sec. 82-561

### Composition:

Two (2) year term.

Appointed by a minimum of 4 votes.

Seven (7) members to be appointed by a majority of the entire City Commission, and who shall possess a high degree of competence in evaluation of art history and architectural history, art, architecture, sculpture, painting, artistic structure design and other appropriate art media for display or integration in public places.

City Liaison : Dennis Leyva

### Vacancy:

Ilija Mossdrop	TL 12/31/06	12/31/2003	City Commission
Heather Urban	To replace Yolanda Sanchez	12/31/2005	City Commission
Diane Star Heller	To replace Merle Weiss	12/31/2005	City Commission

### Members:

Name	Last Name	Position/Title	Term Ends:	Appointed by:	Term Limit:
James	Weingarten		12/31/2006	City Commission	12/31/10
James	Clearwater		12/31/2006	City Commission	12/31/06
Jeremy	Chestler		12/31/2006	City Commission	12/31/10
Mariangela	Capuzzo		12/31/2006	Mayor David Dermer	12/31/10

Applicants	Position/Title	Applicants	Position/Title
Alfredo Richard		Alison Spear	
Barbara Herskowitz		Calvin Kohli	
Dana Eber		Daniela Linden-Retkova	
Francis Trullenque		Gary Weiner	
L Beru		Laura Bruney	
Lauren Weiner		Lisa Ware	
Maria Harris		Merri Mann	
Michael Hughes		Michael Ritus	
Stewart Stewart		Su Rudy	Designer/Decorator

## **COMMISSION COMMITTEE APPOINTMENTS**

2. Audit Committee (as determined by the City Commission)

## ***Board and Committees Current Members***

### **Audit Committee**

Reso 94-21259

#### **Composition:**

The committee shall consist of members, appointed by the City Commission., whose duties shall be to supervise and direct activities of the City's independent auditor in the planning and conducting of the annual City of Miami Beach audit and other City audits.

City Liaison:

#### **Vacancy:**

New Member	12/31/2006	City Commission
New Member	12/31/2006	City Commission
New Member	12/31/2006	City Commission
New Member	12/31/2006	City Commission

#### **Members:**

<b>Name</b>	<b>Last Name</b>	<b>Position/Title</b>	<b>Term Ends:</b>	<b>Appointed by:</b>	<b>Term Limit:</b>
New	Member		12/31/2006	City Commission	12/31/07

## **COMMISSION COMMITTEE APPOINTMENTS**

3. Board of Adjustment (seven appointments)

# Board and Committees Current Members

## Board of Adjustment

Sec. 118.131

### Composition:

One (1) year term.

Appointed by a 5/7th vote.

Seven (7) voting members composed of two members appointed as citizens at-large and five members shall be appointed from each of the following categories (no more than one per category), namely: Law, Architecture, Engineering, Real Estate Development, Certified Public Accountant, Financial Consultation, and General Business. The members representing the professions of law, architecture, engineering and public accounting shall be duly licensed by the State of Florida; the member representing general business shall be of responsible standing in the community, and each member shall be bound by the requirements of the Conflict of Interest Ordinance of the city and shall be subject to removal from office for the violation of the terms thereof. No member shall have any financial or other interest in any matter coming before the board.

Members shall be appointed for a term of one year by a five-seventh vote of the city commission. Members of the Board of Adjustment must be either residents of or have their principal place of business in Miami Beach; provided, however, that this amendment shall not affect the term of existing members of the Board of Adjustment.

City Liaison: April Hirsch

### Appointments To Be Made :

Herbert	Gopman	Engineer	12/31/2005	City Commission	12/31/09
Roberto	Sanchez III	At-large	12/31/2005	City Commission	12/31/09
Roberto	DaTorre	Real Estate Developer	12/31/2005	City Commission	12/31/09
Jason	Loeb	General Business	12/31/2005	City Commission	12/31/07
David	Lancz	Law	12/31/2005	City Commission	12/31/10
Seth	Frohlich	At-large	12/31/2005	City Commission	12/31/10
Laurence	Herrup	Certified Public Acct.	12/31/2005	City Commission	12/31/09

### Members:

Name	Last Name	Position/Title	Term Ends:	Appointed by:	Term Limit:
New	Member		12/31/2006	City Commission	12/31/06

Applicants	Position/Title	Applicants	Position/Title
Gerald Goldstein		Louis Martinez	

## **COMMISSION COMMITTEE APPOINTMENTS**

4. Budget Advisory Committee (one appointment)

# Board and Committees Current Members

## Budget Advisory Committee

Sec. 2-44

### Composition:

Nine (9) members. Seven (7) direct appointments with Mayor and each Commissioner making one (1) appointment.

Two (2) at-large appointments:

one (1) certified public accountant and

one (1) for a financial advisor.

City Liaison: Jose Cruz

### Appointments To Be Made :

Tony	Rodriguez	Financial Advisor	12/31/2005	City Commission	12/31/10
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### Vacancy:

To replace Basil  
Vasiliou

12/31/2005 Commissioner Richard L. Steinberg

### Members:

Name	Last Name	Position/Title	Term Ends:	Appointed by:	Term Limit:
David	Heller		12/31/2006	Commissioner Matti H. Bower	12/31/07
Deborah	Jacobson		12/31/2007	Commissioner Simon Cruz	12/31/13
Fred	Berens		12/31/2006	Commissioner Jose Smith	12/31/10
Jeryl (Deede)	Weithorn	CPA/Partner	12/31/2006	City Commission	12/31/08
Jonathan	Fryd		12/31/2007	Commissioner Saul Gross	12/31/08
Leonard	Wien, Jr.		12/31/2007	Mayor David Dermer	12/31/13
Marc	Gidney		12/31/2006	Commissioner Luis R. Garcia, Jr.	12/31/10

Applicants	Position/Title	Applicants	Position/Title
Dwight Kraai		Edgar Romano	
Frank Kruszewski		Jay Parker	
Lee Spiegelman		Maria Saboya	
Michael Francis		Richard French	



## **COMMISSION COMMITTEE APPOINTMENTS**

5. Design Review Board (four appointments)



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CITY MANAGERS OFFICE  
BY \_\_\_\_\_

C: Tim  
Gomez  
DM  
LC

**CITY OF MIAMI BEACH  
OFFICE OF THE MAYOR & COMMISSION  
MEMORANDUM**

**TO: JORGE GONZALEZ  
CITY MANAGER**

**FROM: JERRY LIBBIN** *JL*  
**COMMISSIONER**

**DATE: JANUARY 6, 2006**

**RE: Agenda Item- Design Review Board Nomination**

**Please place on the January 11th Commission agenda a discussion item to nominate Alex David for reappointment to the Design Review Board.**

**Also, I would like to nominate Alfredo Andia to the Design Review Board Citizen at Large position. I have attached a copy of Mr. Andia's resume for your perusal.**

**If you have any questions or comments, please feel free to contact my secretary, Sandra Meyer at x 6765.**

**JL/sm**

**Cc: Mayor Dermer and City Commissioners  
Robert Parcher, City Clerk**

ALFREDO ANDIA, Ph.D.  
School of Architecture  
Florida International University  
PCA 347B, Miami, FL 33199  
p. 305.348.6703, f. 305.348.2650  
andiaa@fiu.edu

#### EDUCATION

1998 Ph.D., Architecture, University of California at Berkeley.  
1989 M. Des. S., Harvard University.  
1984 Architect, Universidad Católica, Valparaiso, Chile.

#### ACADEMIC ACTIVITIES

1999-Present Associate Professor. School of Architecture, Florida International University.  
1996-1998 Assistant Professor. School of Architecture, University of Cincinnati.  
1990-1996 Graduate Instructor & Researcher. University of California at Berkeley.  
1994-Present Invited Lecturer and Visiting Positions. U. Santa Maria (Chile), U. Buenos Aires (Argentina) U. Pretoria (S. Africa), U. Uniacc (Chile), U. Central (Venezuela), Cornell U. (NY), Politecnico de Milan (Italy).

#### PROFESSIONAL EXPERIENCE

1996-Present Principal, Alfredo Andia Design Studio. Projects include: Invited Architect to develop housing proposals for la Reserva Development, Santiago de Chile (2004-present); Plaza de la Justicia, Santiago de Chile (2004-present); September 11<sup>th</sup> Memorial Competition, Huntington, NY (finalist, 2003); Master Plan for Oak Scholar of Broward, Charter School, Davie, Florida (2002-03); Interpretive Center for Indian Mound, Davie, Florida (2003); Torre Bicentenario, Santiago de Chile (Finalist, 2002), German Embassy Competition, Santiago, Chile (2<sup>nd</sup> prize, 2000), Cafe Mars, Harrisburg, PA (2001); Enos House, Harrisburg, Pennsylvania (1999-2000); Medical Office Building 90,000 sf, Lima, Peru (1998); Master Plan, for the 200,000 sf. "Mall del Pacifico, Lima, Peru (1997 - 98); Piazza Isolo competition, Verona, Italy (Finalist, 1997); Study for downtown revitalization plan, Downtown Miamisburg, Ohio (1997); Urban proposal, Massa Marittima, Italy (1996).  
1990-1995 Professional practice at Taisei Corporation, Japan; Anshen and Allen, San Francisco; Stone Maraccini & Patterson, San Francisco; Cyra Corp., Orinda.  
1989-1990 Architect I, Anderson DeBartolo Pan, San Francisco.  
1985-1997 Architectural practice in offices in Chile, Austria and San Francisco.

#### SELECTED LIST OF SERVICE

- Elected member, Steering Committee of the Association of Computer Aided Design in Architecture (2005).
- Elected member, Faculty Senate, Florida International University (2005-present).
- Chair, Possible Futures Competition, Biennale of Architecture Miami + Beach (2001-2005).
- Program Committee, 30<sup>th</sup> year anniversary of Congress, World Heritage Center, UNESCO (2002).
- Architect in Charge: "Digital Spaces Exhibit" Biennale of Architecture, Santiago de Chile (2002).
- Invited participant of the official delegation of the Florida Governor to Argentina (2001).
- Member, Association of Collegiate Schools of Architecture "Distance Education Task Force" (2001-2002).
- Coordinator of the Association of Collegiate Schools of Architecture videoconference lecture series (2002).
- Peer reviewer, Association of Collegiate Schools of Architecture (2002, 2003).
- Juror, Work In Progress Competition, ACADIA Fabrication conference (2003).
- Juror, Digital Design ACADIA architectural competition (2002).
- Juror, XIII Biennale of Architecture, Quito, Ecuador (2002).
- Juror, XIII Biennale of Architecture, Santiago de Chile (2002).
- Juror, FEIDAD Competition, Taiwan (2001, 2004, 2005).
- Program Committee, International Society on Virtual Systems & MultiMedia (2001, 2005).
- Coordinator, Internet Studio Consortium. Internet education initiative with FIU School of Architecture, U. Buenos Aires, U. Mar del Plata, U. Santa Fe, Argentina; U. Central, Venezuela; U. UNIACC and UTFSM, Chile (1998-2002).
- Scientific Committee Member, Sociedad Iberoamericana de Grafica Digital (1998-2005).
- Editorial Board, Revista "Portafolio," Maracaibo, Venezuela (2000 - 2005).
- Organizer of the 1<sup>st</sup> and 2<sup>nd</sup> Int. Workshop: "Cities, Design and the Net," Italy (1996-1998).
- Member of the Organizing team of the first ACADIA International Design Competition (1998).

- Site Coordinator ACADIA Conference '97, U. of Cincinnati (1997).
- Co-organizer, Workshop: "Cities, Design and the Internet," Italy (1995-1996).

#### SELECTED LIST OF AWARDS

- Faculty Award of Excellence in Teaching, FIU. One of eleven awards distributed university wide (2005).
- Finalist (Advisor), Coney Island Parachute Pavilion, NY (2005).
- Finalist. September 11th Memorial Competition, City of Huntington, Long Island, NY (2003).
- Gold Medal (Team Member). General Category, Bienal Miami + Beach, Miami, Florida (2003).
- Semi-finalist. Far Eastern International Digital Architectural Design Award (2002).
- 1<sup>st</sup> Honorable Mention. International Competition "Torre Bicentenario," Municipality of Santiago de Chile, (2002).
- 1<sup>st</sup> Prize, Leadership Award, The Southern Conference of NCARB, Ft. Lauderdale, (2002).
- 2<sup>nd</sup> Prize. German Embassy Competition, Santiago, Chile (2000).
- Honorable Mention. Piazza Isolo, Verona, Italy (1997).
- Certificate of Appreciation for Service, ACADIA Annual Conference, Cincinnati, Ohio, (1997).
- Taisei Fellowship, Taisei Corporation, Tokyo, Japan (1992).
- SOM Internship Fellowship, SOM, San Francisco, California (1992).

#### MEDIA COVERAGE ON PROFESSIONAL AND ACADEMIC WORK

- Interview by United Press, Alex Cukan, "Sept. 11: What to do with WTC site," Sept. 11<sup>th</sup>, 2002.
- Interview by Associated Press on World Trade Center Proposals, July 16, 2002: "Reaction to WTC building plans mixed." Published in the top news story in many newspaper, radio and Internet media outlets such as Washington Post, NY Post, AOL News, Yahoo News, ABC News, San Francisco Chronicle, Boston Globe Boston.com, Miami Herald (Miami.com), Chicago Tribune, LA Times, Detroit News Online, Dallas Morning News, San Jose Mercury News (Bay Area.com), Philadelphia Enquirer, USA Today, The Orange County Register, St. Petersburg Times and many of the other 6500 outlets associated by Associated Press Top World News.
- Government Video Magazine, Kristine Garcia, "Low Bandwidth to Latin America: Florida International University Architecture Courses Deal with Last Mile Issues." November 2001. Pages 65-70.
- Discovery Channel. TV program Vida@Linea, reported a 5 minute piece on Internet Studio Initiative, October 2001 (2,000,000 viewers).
- Diario La Hora, Chile. "Estudiantes se comunican virtualmente." Oct. 16, 2001.
- BBC World Service. "Web connects design students." Reported by Tracey Logran for the BBC's "Go Digital" radio program.
- BBC Mundo. "Arquitectura en red para A. Latina." Aug. 29, 2001. Reported in the "Ciencia" radio program and BBC Web site: [http://news.bbc.co.uk/hi/spanish/science/newsid\\_1514000/1514682.stm](http://news.bbc.co.uk/hi/spanish/science/newsid_1514000/1514682.stm)
- Diario El Clarin, Argentina. Miguel Jurado. "La Entrega en Internet," August 6, 2001 (500,000 copies).
- NHK TV Japan. TV special program about distance education reports on the Internet Studio experience (1999).
- El Mercurio, Chile. "New links create a new Hypercity" interview published in the newspaper "El Mercurio", Santiago, Chile. September 4, 1997.

#### SELECTED LIST OF PUBLICATIONS

- More than 44 scholarly articles and book sections published in The Journal of Architecture Education; CONCEPT Magazine, Korea; ACM LEONARDO, MIT Press; Archengeo Magazine, Italy; Proceedings of the 7th International Conference on Virtual Systems and MultiMedia (VSMM 2001). IEEE CS Press, 2001; ACM SIGGRAPH Proceedings, 2000 and 2001; Proceedings of the International Conference of The "Sociedad Iberoamericana de Grafica Digital" (SIGraDi); Proceedings of several ACSA International Meeting; Proceedings of several ACSA Annual Meeting; Revista Portafolio, Venezuela, April 2001; Primera Conferencia sobre Aplicación de Computadoras en Arquitectura; Managing Information Technology in Architectural Practice: The Role of Computers in the Culture of Design. Ph. D. Dissertation at U.C. Berkeley. UMI Press, 1998; Palinsesti di Pietra: Palimpsests of Stones. Edited by Livio Dimitru and Vincenzo Pavan. Verona: Urban Studies and Architecture Books, 1997; Encyclopedia of Vernacular Architecture of the World, edited by Paul Oliver. Cambridge University Press, 1997; Spazio e Societa, Italy; Design Management Journal; Proceedings of the First International Workshop on Networked Reality in Telecommunication, Tokyo, Japan; Proceedings of the 15th International Conference on Making Cities Livable, San Francisco, California; International Conference of the International Association for the Study of Traditional Environments (IASTE).

### **SPEAKING ENGAGEMENTS**

- More than 70 speaking engagements at conferences and lectures at schools of architecture. Paper presented at conferences such as SIGGRAPH (2001, 1994); ACSA (2001, 2000, 1998, 1994); Sociedad Iberoamericana de Grafica Digital, Rio de Janeiro and Concepcion, Chile (2001, 2000, 1998); Encounter of the Chilean Association of Schools of Architecture (1999), VSMM (2001); Conveca, Venezuela (1999), Cities, design and the Net workshops in Italy (1996, 1995); Networked Realities, Japan (1994); IASTE, Paris (1992); IMCL, San Francisco (1992). Invited lecture at Schools such as U. de Buenos Aires, Argentina; Cornell University; U. of Detroit at Mercy; Politecnico de Milan; U. of Miami; U. of Cincinnati; U. Santa Maria, Chile; U. Uniacc, Chile; Kansas State University; Danmark Tekniske U., Denmark.

# Board and Committees Current Members

## Design Review Board

Sec. 118.71

### Composition:

Two (2) year term.

Appointed by a minimum of 4 votes.

Seven (7) regular members and two (2) ex-officio members.

The seven (7) regular members shall consist of:

two (2) registered architects,

one (1) registered architect or a member of the faculty of a school of architecture, urban planning or urban design in the state, with practical or academic expertise in the field of design, planning, historic preservation or the history of architecture, or a professional architectural designer or professional urban planner

one (1) registered landscape architect,

one (1) registered architect, professional designer or professional urban planner,

and two (2) citizens at-large.

One person appointed by the City Manager from an eligibility list provided by the Mayor's Barrier Free Environment Committee shall serve in an advisory capacity with no voting authority. The Planning Director, or designee and the City Attorney or designee shall serve in an advisory capacity.

Residency and place of business in the county. The two (2) citizen-at-large members and one of the registered landscape architects, registered architects, professional designer or professional urban planners shall be residents of the city.

City Liaison: Thomas Mooney

### Appointments To Be Made :

Alex	David	Urban Planner	12/31/2005	City Commission	12/31/10
Michael F.	Steffens	Registered Architect	12/31/2005	City Commission	12/31/09

### Vacancy:

	Louis Martinez	At-large	12/31/2005	City Commission
Gregory Neville	To replace	Reg. Architect	12/31/2006	City Commission

### Members:

Name	Last Name	Position/Title	Term Ends:	Appointed by:	Term Limit:
Clotilde	Luce	At-large	12/31/2006	City Commission	12/31/10
Peter	Chavelier	Urban Land Planner	12/31/2006	City Commission	12/31/08
Steve	Lefton	Landscape Architect	12/31/2006	City Commission	12/31/09
Janet Grant-Hyman	ex-officio/Barrier Free Env. Comm.				
Jorge Gomez	ex-officio/ Planning Director				

Applicants	Position/Title	Applicants	Position/Title
Adolfo Albaisa		Alfredo Andia	
Colleen Martin	Attorney	Cristina LaBuzetta	
Gabrielle Redfern		Gail Thompson	
Herbert Gopman		Jean-Francois LeJeune	Architecture/Professor
Jorge Kuperman	Architect	Ken Nunamaker	
Lourdes Solera	Registered Architect	Neil Levinson	Attorney
Rafael Suarez-Rivas	Attorney	Randall Robinson	

Friday, January 06, 2006

Page 14 of 44 (Continued....)

## ***Board and Committees Current Members***

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Robert Brown  
Theodore Berman

Su Rudy  
William Gonzalez

Designer/Decorator

## **COMMISSION COMMITTEE APPOINTMENTS**

6. Health Advisory Committee (four appointments)





CRP  
LC

**CITY OF MIAMI BEACH**  
**OFFICE OF THE MAYOR & COMMISSION**  
**MEMORANDUM**

**TO:** Jorge M. Gonzalez  
City Manager

**FROM:** Saul Gross  
Commissioner SG.

**DATE:** December 30, 2005

**RE:** Agenda Item

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Please place on the agenda for the January 11<sup>th</sup>, 2006 City Commission Meeting the re-nomination by the Commission at large of Dr. Dan Nixon to the Health Advisory Committee.

SG/ml

# Board and Committees Current Members

## Health Advisory Committee

Sec. 2-81 2002-  
3352

### Composition:

Eleven (11) voting members. Appointed by the City Commission at-large, upon recommendations of the City Manager:

Two (2) members shall be the chief executive officers (CEO's) or their designated administrators from each of the following local hospitals:

- 1) Mount Sinai Medical Center,
- 2) South Shore Hospital,

One (1) member shall be the Chief Executive Officer (CEO) from Stanley C. Myers Community Health Center or his/her designee administrator;

Two (2) member shall be an administrator from an Adult Congregate Living Facility (ACLF). And/or an Assisted Living Facility (ACLF);

One (1) member shall be a representative from the nursing profession;

One (1) member shall be a health benefits provider;

Two (2) members shall be physicians.;

Two (2) members shall be consumers consisting of:

- 1) one (1) individual from the corporate level and ;
- 2) one (1) private individual.

There shall be one (1) non-voting ex-officio representative from each of the following: The Miami Dade County Health Department and the Fire Rescue Department. The director of the Office of the Children's Affairs shall be added as a non-voting ex-officio member of the board.

City Liaison: Cliff Leonard

### Appointments To Be Made :

Dr. Rasciel	Socarraz	Health Provider	12/31/2005	City Commission	12/31/09
Dr. Ronald	Shane	Private Individual	12/31/2005	City Commission	12/31/09
Daniel	Nixon	Private individual	12/31/2005	City Commission	12/31/07

### Vacancy:

To replace Heidi Azari	Nursing Profession	12/31/2005	City Commission
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### Members:

Name	Last Name	Position/Title	Term Ends:	Appointed by:	Term Limit:
Abraham	Galbut	ACLF	12/31/2006	City Commission	12/31/09
Jorge	Perez	Physician	12/31/2006	City Commission	12/31/09
Joyce	Galbut	Adm. Adult Cong Livn.	12/31/2006	City Commission	12/31/09
Kathryn	Abbate	CEO, Stanley Myers (NTL)	12/31/2006	City Commission	
Steven	Sonenreich	CEO/Mt. Sinai/MH (NTL)	12/31/2006	City Commission	
William	Zubkoff	C.E.O.. So. Shore (NTL)	12/31/2006	City Commission	
Zalman	Bacheikov	Dentist	12/31/2006	City Commission	12/31/06
Maria Ruiz	ex-officio, Director of Children's Affairs				
Sonia Albury	rep. From the Health Council of South Fla				

Applicants	Position/Title	Applicants	Position/Title
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## ***Board and Committees Current Members***

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Craig Berko	Chiropractor/Physician	David Fink	
Harriet Feuerman		Katherine Pener	Retired Teacher
Marc Umlas		Mark Sinnreich	MD
Michael Baum	Nurse	Nancy El-Amir	
Nicole Nedd		Richard Silverman	
Rolando Rodriguez		Shawn Loftis	
Stephen Zaron	Physician/Consumer Private		

## **COMMISSION COMMITTEE APPOINTMENTS**

7. Health Facilities Authority Board (two appointments)

# Board and Committees Current Members

## Health Facilities Authority Board

Sec. 2-111

### Composition:

Four (4) year terms.

Five (5) members shall consist of;

two (2) health providers,

one (1) individual in the field of general business who possesses good standing in the community;

one (1) accountant and;

one (1) attorney.

The chairperson of the Health Advisory Board shall serve as a non-voting advisor to the Authority.

Members shall be residents of the City.

Florida Statute 154.207 No term Limits.

City Liaison: Patricia Walker

### Vacancy:

To replace Lawrence Fuller	(Attorney)	06/19/2009	City Commission
To replace Sidney Goldin	General Business	06/19/2009	City Commission

### Members:

Name	Last Name	Position/Title	Term Ends:	Appointed by:	Term Limit:
Arthur	Unger	Accountant	06/19/2008	City Commission	FS 154-207
Mark	Sinnreich	Health Provider	06/19/2008	City Commission	FS 154-207
Michael	Baum	Health Provider	06/19/2006	City Commission	FS 154-207

Chairperson, Health Advisory Board

Applicants	Position/Title	Applicants	Position/Title
Jay Parker		Jorge Perez	
Zalman Bacheikov			

## **COMMISSION COMMITTEE APPOINTMENTS**

8. Historic Preservation Board (two appointments)

# Board and Committees Current Members

## Historic Preservation Board

Sec. 118-101

### Composition:

Two (2) year term. Appointed by a minimum of 4 votes.

Seven (7) members. There shall be a member from each of the following categories:

- 1) A representative from the Miami Design Preservation League (MDPL);  
Selected from three names nominated by the League.
- 2) A representative from Dade Heritage Trust (DHT);  
Selected from three names nominated by the Trust.
- 3) One at-large member who owns or manages a property or properties located in one of the city's historic districts;
- 4) One at-large member who resides in one of the city's historic districts;
- 5) An architect registered in the State of Florida with practical experience in the rehabilitation of historic structures;
- 6) A registered architect, registered landscape architect, professional designer or professional urban planner with practical experience in the rehabilitation of historic structures; or an attorney, or a licensed engineer who has professional experience and demonstrated interest in historic preservation.;
- 7) A member of the faculty of a school of architecture in the State of Florida, with academic expertise in the field of design and historic preservation or the history of architecture, with a preference for an individual with practical experience in architecture and the preservation of historic structures.

City Liaison: Thomas Mooney

### Appointments To Be Made :

Allan	Hall	Professional/Attorney	12/31/2005	City Commission	12/31/09
Jean-Francois	LeJeune	Professor	12/31/2005	City Commission	12/31/10

### Members:

Name	Last Name	Position/Title	Term Ends:	Appointed by:	Term Limit:
Beth	Dunlop	Dade Heritage	12/31/2006	City Commission	12/31/06
Judith	Berson-Levinson	At-large	12/31/2006	City Commission	12/31/06
Mitch	Novick	MDPL	12/31/2006	City Commission	12/31/06
Norberto	Rosenstein	Registered Architect	12/31/2007	City Commission	12/31/11
Randall	Robinson	At-Large	12/31/2006	City Commission	12/31/06

Applicants	Position/Title	Applicants	Position/Title
Bernardo Coiffman		Brian Eaton	
Cristina LaBuzetta		David Philips	Attorney
Donna Bloom	Real Estate Board	Herbert Gopman	
Jeff Krainess		Jerry Libbin	
Jorge Kuperman	Architect	Ken Nunamaker	
Lourdes Solera	Registered Architect	Luis Salom	
Marilys Nepomechie	Architect/Professor	Michael F. Steffens	
Michael Hughes		Rafael Suarez-Rivas	Attorney
Richard Silverman		Sheila Duffy-Lehrman	TV/Film
Spencer Snyder		Su Rudy	Designer/Decorator
Theresa D'Amico	Interior Designer	William Medellin	Architect

## **COMMISSION COMMITTEE APPOINTMENTS**

9. Miami Beach Cultural Arts Council (six appointments)





# MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC # 005-2006

## LETTER TO COMMISSION

TO: Mayor David Dermer and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: January 4, 2006

SUBJECT: Cultural Arts Council Vacancies

There are currently two (2) vacancies on the Cultural Arts Council (CAC). These vacancies are the result of the resignations of Roymi Membiela and Jeff Abbaticchio. The vacancies were subsequently advertised; twenty-two (22) individuals submitted applications for consideration (see Exhibit "A"). Adhering to the guidelines set forth in the Ordinance establishing the CAC, a Nominating Committee was convened to review and screen all interested candidates and subsequently make recommendations to the CAC. At its December 9, 2005 meeting, the CAC reviewed the list submitted by their Nominating Committee and unanimously approved the following recommended nominees. The list below is provided in alphabetical order for your consideration. Additionally, their resumes are attached for your review.

- Ileana Bravo-Gordon
- Lisa Criselle
- Solomon Genet
- Marina Kessler
- Nikos Prantzios
- Israel Sands

In addition to these vacancies, CAC Co-chair Alfredo Richard missed the December meeting due to an unexpected and unavoidable delay in returning from a business trip to Mexico. This absence requires him to vacate the Council for exceeding the number of permissible absences. However, Mr. Richard has indicated that he would be interested in remaining on the CAC. The Commission may re-appoint Mr. Richard, if they wish. Lastly, the current terms of Chair Ada Llerandi and members Lilliam Lopez and Michael McManus expire on December 31, 2005. The CAC Nominating Committee recommends that these four members be reappointed by the Commission.

Pursuant to Section 2-55(d) of Ordinance No. 97-3075, as amended, establishing the Miami Beach Cultural Arts Council (CAC) "vacancies on the Council shall be filled by the Mayor and City Commission. In filling any vacancy, the Mayor and City Commission may select a replacement Council member from a list of three (3) candidates which shall be submitted by the remaining members of the Council."

Further, "the individual members of the City Commission may supplement the Council's suggested list with additional names of candidates or, if neither the candidates on the Council's suggested list nor the additional names submitted by the individual members of the City Commission are approved, the Council shall submit an entirely different list" for consideration.

The CAC is eager to have these appointments made and respectfully requests that you consider these appointments at your January 11, 2006 City Commission Meeting. This item will be placed on the January 11, 2006 Commission Meeting Agenda for your consideration. Should you have any questions, please feel free to contact me.

JMG\HF\MAS\gf

c: Hilda Fernandez, Assistant City Manager  
Max A. Sklar, Tourism and Cultural Development Director  
Gary Farmer, Cultural Affairs Program Manager

F:\info\ALL\Max\TCD\LT\CAC Vacancies.doc

RECEIVED  
06 JAN - 6 AM 9:20  
CITY CLERK'S OFFICE

## **EXHIBIT "A"**

The Nominating Committee of the Miami Beach Cultural Arts Council considered the following applications, which were forwarded to the Cultural Affairs Program by the City Clerk's Office:

Apte, Laura  
Arfa, Gertrude  
Bravo-Gordon, Ileana  
Criselle, Lisa  
Cruz, Laura  
Genet, Solomon  
Guzman, Armando  
Hernandez, Patti  
Hughes, Michael  
Kessler, Marina  
Kohli, Calvin  
Krainess, Jeff  
Kreiger, Matthew  
Leibman, Francine  
Lejeune, Jean Francois  
Prantzios, Nikos  
Sadoff, Rebecca  
Saks, Gordon  
Sands, Israel  
Shapiro, Stanley  
Squires, Gilbert  
Vega, Sandra

The following two resumes were submitted directly to Cultural Affairs Program staff. Each of these applicants was sent the City of Miami Beach Boards and Committee Application Form with instructions to return it to the City Clerk's Office. The City Clerk did not receive these applications.

Alvarez, Orlando  
Pozo, Ana Maria

# Board and Committees Current Members

## Miami Beach Cultural Arts Council

Sec. 2-51

### Composition:

Three (3) years term.

Vacancies submitted by slate of candidates provided by the council.

Eleven (11) members to be appointed at-large by a majority vote of the Mayor and City Commission. Effective December 31, 2001, concurrent with the expiration of the terms of six (6) members of the council, and the resulting vacancies thereon, three (3) members shall be appointed for three (3) year terms each, provided that one of those appointments shall be to fill the vacancy of the one (1) year term expiring on December 31, 2001, and three (3) members shall be appointed for two (2) year terms each. Additionally, effective December 31, 2002, no council member may serve more than six (6) consecutive years.

City Liaison: Roberta Behrendt

### Appointments To Be Made :

Ada	Llerandi	12/31/2005	City Commission	12/31/06
Michael	McManus	12/31/2005	City Commission	12/31/08
Liliam	Lopez	12/31/2005	City Commission	12/31/09

### Vacancy:

To replace Jeffrey Abbaticchio	12/31/2007	City Commission
To replace Alfredo Richard	12/31/2007	City Commission
To replace Roymi V. Membiela	12/31/2006	City Commission

### Members:

Name	Last Name	Position/Title	Term Ends:	Appointed by:	Term Limit:
Gail	Thompson		12/31/2007	City Commission	12/31/10
Lidia	Resnick		12/31/2006	City Commission	12/31/09
Merle	Weiss		12/31/2006	City Commission	12/31/09
Nancy	Liebman		12/31/2007	City Commission	12/31/07
Ricky	Arriola		12/31/2006	City Commission	12/31/09

Applicants	Position/Title	Applicants	Position/Title
Adam Carlin	Senior Portfolio Manager	Armando, "Tony" Guzman	
Barry Chase	Attorney	Brian Eaton	
Bruce Davidson	Attorney	Calvin Kohli	
Chenell Tannure	Theater Education	Cheryl Jacobs	Director of Marketing
Christine Weistead		Donna Bloom	Real Estate Board
Francine Leibman		George Neary	
Gilbert Squires		Gordon Saks	
Greg Scheinman	TV Producer	Jean-Francois LeJeune	
Jeff Krainess		Joy Malakoff	Senior Vice President
Leigh Alvarez	Marketing	Lisa Criselle	
Lisa Palley	President/PR/Marketing	Mark Tamis	
Mark Weithorn		Merri Mann	
Michael Hughes		Monica Plaza	
Nancy Wolcott		Patti Hernandez	

Friday, January 06, 2006

Page 28 of 44 (Continued....

## ***Board and Committees Current Members***

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Pola Reydburd		Rebecca Sadoff	
Robert Meltzer	Author	Sandra Vega	
Solomon Genet	Associate Attorney	Stanley Shapiro	
Stanley Worton	MD	Su Rudy	Designer/Decorator
Sumiko Kuboi		Tanya Diaz	
Williams Farkas	Art Consultant		

## **COMMISSION COMMITTEE APPOINTMENTS**

10. Oversight Committee for General Obligation Bond (three appointments)

# Board and Committees Current Members

## Oversight Committee for General Obligation Bond

Sec. 2-190.126

### Composition:

Thirteen (13) members consisting of two (2) residents from the following areas:

- 1) North Beach;
- 2) Middle Beach;
- 3) South Beach;
- 4) one (1) member from each of the following organizations:  
the Budget Advisory Committee,  
the Planning Board,  
the Chamber of Commerce,  
the Transportation and Parking Committee,  
the Community Development Advisory Committee (who shall be a voting member),  
one from the Historic Preservation Board (who shall be a voting member),  
one (1) MEMBER FROM THE CITY COMMISSION.

City Liaison: Jorge Chartrand

### Appointments To Be Made :

Frank	Del Vecchio	South Beach	12/31/2005	City Commission	12/31/05
Amy	Rabin	Middle Beach	12/31/2005	City Commission	12/31/05
Michael	Rotbart	North Beach	12/31/2005	City Commission	12/31/05

### Vacancy:

ex-officio of the  
Transportation and  
Pkg. Comm.

### Members:

Name	Last Name	Position/Title	Term Ends:	Appointed by:	Term Limit:
Christina	Cuervo	North Beach	12/31/2006	City Commission	12/31/10
Scott	Needelman	South Beach	12/31/2006	City Commission	12/31/08
Sherri	Krassner	Middle Beach	12/31/2006	City Commission	12/31/06

Aaron Tandy Chamber of Commerce  
Alexander Annunziato voting member of CDAC  
Jeryl (Deede) Weithor Budget Advisory Comm.  
Joy Malakoff ex-officio member Planning Board  
Mayor David Dermer Member from City Commission  
Mitch Novick voting member of the Historic Pres. Bd)

Applicants	Position/Title	Applicants	Position/Title
Barbara Gelber		Charles Burkett	Middle Beach
Dwight Kraai		Gabrielle Redfern	
Gary Weiner		Judy Gelber	North Beach
Julio Lora		Laura Morilla	
Marc Gidney		Martin Wasserman	Attorney
Melissa Lorber	South Beach	Michael Francis	

Friday, January 06, 2006

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## **COMMISSION COMMITTEE APPOINTMENTS**

11. Personnel Board (three appointments)



## ***Board and Committees Current Members***

### **Personnel Board**

**Sec. 2-190.66**

#### **Composition:**

Ten (10) members appointed by a 5/7 vote.

Six (6) of which shall be citizens of Miami Beach not in the employment of the city, each having a different vocation;

and three (3) regular employees of the City of Miami Beach, to be elected by the probationary and regular employees of the city and who shall be elected from the employees of regular status in the respective groups:

Group I shall consist of the employees of the Police Department, Fire Department and Beach Patrol Department,

Group II shall consist of employees who are in clerical and executive positions,

Group III shall consist of all other employees,

The Personnel Director is a non-voting member.

City Liaison: Mayra Buttacavoli

#### **Appointments To Be Made :**

Jack	Bernstein	12/31/2005	City Commission	12/31/06
Marcelo	Llorente	12/31/2005	City Commission	12/31/10
Orlando	Alvarez, Jr.	12/31/2005	City Commission	12/31/07

#### **Members:**

Name	Last Name	Position/Title	Term Ends:	Appointed by:	Term Limit:
Amy	Perry		12/31/2006	City Commission	12/31/09
Diane	Downs		12/31/2006	City Commission	12/31/09
Rosalie	Pincus	serve to end of 05	12/31/2006	City Commission	12/31/05*
Jimmy Newton		elected 7/31/03 - exp. 7/31/06 Group III			
Mayra Buttacavoli		Human Resources Director			
Patricia Becerra		re-elected 8/17/04 - exp. 7/31/07 Group II			
Renato Sejas		elected 7/11/05 - exp. 7/31/08- Group I			

Applicants	Position/Title	Applicants	Position/Title
Alex DeGasperi		Annette Cannon	
Barbara Woolverton	Human Resources Director	David Alschuler	Attorney
Lee Spiegelman			

## **COMMISSION COMMITTEE APPOINTMENTS**

### **12. Planning Board (four appointments)**

# Board and Committees Current Members

## Planning Board

Sec. 118-51

### Composition:

Two (2) year term. Appointed by a minimum of 4 votes.

Seven (7) regular voting members. The voting members shall have considerable experience in general business, land development, land development practices or land use issues.

The board shall at a minimum be comprised of:

one registered architect or a member of the faculty of a school of architecture in the state, with practical or academic expertise in the field of design, planning, historic preservation or the history of architecture, or a professional architectural designer or professional urban planner,

one developer,

one attorney who has considerable experience in land use and zoning issues,

and one person who has education and/or experience in historic preservation issues. For purposes of this section, the term "education and/or experience in historic preservation issues" shall be a person who meets one or more of the following criteria:

- (1). Has earned a college degree in historic preservation
- (2). Is responsible for the preservation, revitalization or adaptive reuse of historic buildings; or
- (3). Is recognized by the city commission for contributions to historic preservation, education or planning. No person except a resident of the city, or an individual having their main business interest in the city shall be eligible for appointment to the Planning Board.

City Liaison: Mercedes Lamazares.

### Appointments To Be Made :

Marlo	Courtney	Developer	12/31/2005	City Commission	12/31/09
Theodore	Berman	General Business	12/31/2005	City Commission	12/31/09
Roberto	Sanchez	General Business	12/31/2005	City Commission	12/31/10
Joy	Malakoff	Historic Pres.	12/31/2005	City Commission	12/31/09

### Members:

Name	Last Name	Position/Title	Term Ends:	Appointed by:	Term Limit:
Cathy	Leff	General Business	12/31/2006	City Commission	12/31/10
Jorge	Kuperman	Architect	12/31/2006	City Commission	12/31/10
Victor	Diaz	Attorney	12/31/2006	City Commission	12/31/06

Applicants	Position/Title	Applicants	Position/Title
Alex David	Vice-President of Planning Group	Amy Agnoli	Attorney
Andres Casas		Anthony Guerra	
Brian Eaton		Brian Judge	Mortgage Banker
Colleen Martin	Attorney	Douglas Houghton	
Elizabeth Schwartz		Frank Anmirata	Certified General Contractor
Frank Del Vecchio		Gary Knight	
Gilbert Squires		Jack Bernstein	Real Estate
Jason Hagopian	Architect	Joe Fontana	Retired
L Beru		Lazaro Martinez	Real Estate Broker
Lee Spiegelman		Louis Martinez	
Michael Gongora		Rafael Suarez-Rivas	Attorney

Friday, January 06, 2006

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## ***Board and Committees Current Members***

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Richard Silverman

Shawn Loftis

Steve Lawrence Waserstein

Theresa D'Amico

Interior Designer

Sean Ellsworth

Spencer Snyder

Tara West

William Gonzalez

## **COMMISSION COMMITTEE APPOINTMENTS**

13. Visitors and Convention Authority (five appointments)



RECEIVED  
2006 JAN -6 PM 3:20  
CITY MANAGERS OFFICE  
BY \_\_\_\_\_

c: Hilda  
DM  
LC

**CITY OF MIAMI BEACH  
OFFICE OF THE MAYOR & COMMISSION  
MEMORANDUM**

**TO: JORGE GONZALEZ  
CITY MANAGER**

**FROM: LUIS R. GARCIA, JR.  
COMMISSIONER**

**DATE: JANUARY 6, 2006**

**RE: Agenda Item- Visitor and Convention Authority Nomination**

---

Please place on the January 11th Commission agenda a discussion item to nominate Elsie Sterling Howard for appointment to the Visitor and Convention Authority.

Ms. Howard was the chairperson of the VCA from 1999 through 2004. She is an active community leader and I believe she would be an asset to this board. I have attached a copy of Ms. Howard's bio for your perusal.

If you have any questions or comments, please feel free to contact my secretary, Sandra Meyer at x 6765.

LG/sm

**Cc: Mayor Dermer and City Commissioners  
Robert Parcher, City Clerk**

Elsie Sterling Howard is the current chairperson of the Miami Beach VCA and has served on the board since 1999 and also serves on the board of the Greater Miami Convention and Visitors Bureau. She is the Chair of the Trustees of the University of Pennsylvania Press and is the immediate past chair of The Penn Fund for the University of Pennsylvania, having served as the President of its International Alumni Society and as a University Trustee. Howard is co-chairperson of The Endowment Fund for the Miami Dade United Way, co-chairperson of Special Events for the Sylvester Comprehensive Cancer Center/University of Miami and is the immediate past chairperson of the Citizens Commemorative Coin Advisory Committee.

She received the Volunteer of the Year/Stewart Award from the Council for the Advancement and Support of Education (CASE) in 2003 and will receive the Caroline Halperin Award from the University of Miami Sylvester Comprehensive Cancer Center in November 2004.

Mrs. Howard is principal and president of Sterling Public Relations in Miami Beach Florida and is a long-time resident of Miami Beach.



RECEIVED  
05 DEC 16 AM 9:45  
CITY CLERK'S OFFICE

December 15, 2005

Mayor and Commission  
City of Miami Beach  
1700 Convention Center Drive  
Miami Beach, Florida 33139

Dear Mayor and Commission:

The Miami Beach Visitor and Convention Authority (VCA) would like to thank you for your continued support of our efforts for FY 2004/2005. To help the VCA conduct business, we kindly request the reappointment of members Diego Lowenstein, Melanie Muss, Leslie Zigel and Stephen Hertz. We have also provided a list of possible appointees to the open at-large position.

We kindly request the reappointment of the following:

**Diego Lowenstein** has been an active member of the VCA since December 2004. He serves as Managing Director of the Lionstone Group; a dynamic family owned South Florida-based real estate developer of residential and hospitality properties. He also serves as Chief Executive Office of Lionstone Development and Chief Operating Officer of Lionstone Hotels & Resorts, an affiliation of companies, which own and develop hotels, resorts and casinos in South Florida and the Caribbean.

**Leslie Zigel** was appointed to the VCA in March 2002. He is currently a shareholder in Greenberg Traurig's Miami Office where he focuses on counseling international entertainment-related clients.

Mr. Zigel was formerly Vice President of Business and Legal Affairs for the Latin Region of BMG Entertainment. He is also an executive board member of the City of Hope Latin Entertainment Initiative. Prior to becoming a lawyer, Mr. Zigel acted a Senior Producer for many renowned events including the Boston Globe Jazz Festival, the Goombay Festival in Miami, and Calle Ocho.

**Melanie Muss** was appointed to the VCA in February 2004. Ms. Muss is continuing her work on the development of the Fontainebleau, Miami Beach's famed landmark hotel, where she previously headed up the revitalization. In her current role, she is consulting on the new master plan of the resort. She is also involved in other development pursuits. She currently serves on the Miami Beach Chamber of Commerce Board of Governors.

**Stephen Hertz** was appointed to the VCA in March 2002. He has been a resident of Miami Beach since 1942. He is a trial attorney with the Law Offices of Stephen G. Hertz, where he has practiced law since 1965.

Mr. Hertz's civic experience includes sitting on the City of Miami Beach Planning Board and the Nuisance Abatement Board. He is on the Board of Directors of the Normandy Shores Homeowners Association and is a member of the North Beach Development Corporation.

555 Seventeenth Street  
Miami Beach, FL 33139  
Ph: 305.673.7060  
Fax: 305.673.7063  
miamibeachvca.com



Kindly consider the following Miami Beach resident for the vacant position:

**Elsie Howard** was the VCA's chairperson from 1999 through 2004. She currently serves on the board of the Greater Miami Convention and Visitors Bureau. She is the Chair of the Trustees of the University of Pennsylvania Press and is the immediate past chair of The Penn Fund for the University of Pennsylvania, having served most recently as the President of its international Alumni Society and as a University Trustee. Howard is co-chairperson of The Endowment Fund for the Miami Dade United Way, Chair of Educational Advancement for the Council for Educational Change/South Florida Annenberg Challenge, co-chairperson of Special Events for the Sylvester Comprehensive Cancer Center/University of Miami and is the immediate past chairperson of the Citizens Commemorative Coin Advisory Committee.

**Belkys Nerey** is the Emmy award winning anchor of WSVN 7 NEWS and community leader who resides in Miami Beach.

**Andi Greenwald** is an award winning developer that has been honored twice by the Miami Beach Design Preservation League for her excellence in restoration for her work on Coconut at 1018 Meridian and the Cabana at 1551 Lenox Avenue.

**Victoria Pesce Elliott** is a food critic for the Miami Herald and resides in Miami Beach.

Thank you,

A handwritten signature in black ink, appearing to read 'G. R. Marcos', with a stylized flourish at the end.

Grisette Roque Marcos  
Executive Director

Cc: Robert Parcher, City Clerk

# Board and Committees Current Members

## Visitor and Convention Authority

Sec. 102-246

### Composition:

Two (2) year term. Appointed by a minimum of 4 votes.

Seven (7) member who shall be permanent residents of Miami-Dade County.

The seven (7) members of the authority shall be representative of the community as follows:

1) Not less than two (2) nor more than three (3) members shall be representative of the hotel industry;

2) and the remaining members none of whom shall be representative of the hotel industry, shall represent the community at-large. Any member of the authority or employee therefore violating or failing to comply with provisions of this article shall be deem to have vacated his office or position.

City Liaison: Grisette Roque.

### Appointments To Be Made :

Stephen	Hertz	At-Large	12/31/2005	City Commission	12/31/07
Leslie	Zigel	Attorney	12/31/2005	City Commission	12/31/07
Melanie	Muss	Hotel Industry	12/31/2005	City Commission	12/31/09
Diego	Lowenstein	Hotel Industry	12/31/2005	City Commission	12/31/09

### Vacancy:

Jeff Lehman	To replace	Hotel Industry	12/31/2006	City Commission
-------------	------------	----------------	------------	-----------------

### Members:

Name	Last Name	Position/Title	Term Ends:	Appointed by:	Term Limit:
Sidney	Goldin	At-large	12/31/2006	City Commission	12/31/10
Steven	Haas	General Manager	12/31/2006	City Commission	12/31/08

Applicants	Position/Title	Applicants	Position/Title
Alberto Rodriguez		Alfredo Richard	
Anthony Guerra		Barbara Gillman	General Business/Art Galley
Barbara Patchen		Belkys Nerey	
Carl Linder	Attorney/South Beach	Christopher Todd	
Diane Star Heller	Teacher	George Castillo	
Harriet Feuerman		Henri Spiegel	Attorney
Julio Burgos		Keith Menin	
Ken Nunamaker		Lourdes Alfonso	
Michael Francis		Mitchell Korus	General Business/Real Estate
Shelly Bell		Stanley Shapiro	
Vincent DeLoach	Realtor		

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## R9 - New Business and Commission Requests

R9B(1)	Dr. Stanley Sutnick Citizen's Forum.	(1:30 p.m.)
R9B(2)	Dr. Stanley Sutnick Citizen's Forum.	(5:30 p.m.)


AGENDA ITEM R9B1-2  
DATE 1-11-06

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**CITY OF MIAMI BEACH  
OFFICE OF THE MAYOR & COMMISSION  
MEMORANDUM**

**TO: JORGE M. GONZALEZ  
CITY MANAGER**

**FROM: JERRY LIBBIN  
COMMISSIONER** 

**DATE: DECEMBER 27, 2005**

**RE: AGENDA ITEM FOR JANUARY 11, 2006 COMMISSION MEETING**

---

Please place on the January 11, 2006 agenda an item for discussion regarding the lack of resident awareness of open permits on buildings and homes. I believe there should be a system in place for the City to notify owners of any outstanding fines or open permits, on a regular basis.

Thank you.

JL/sm

Agenda Item R9C  
Date 1-11-06

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c: Don  
Lilia  
Dokers



**CITY OF MIAMI BEACH  
OFFICE OF THE MAYOR & COMMISSION  
MEMORANDUM**

**TO: JORGE M. GONZALEZ  
CITY MANAGER**

**FROM: SIMON CRUZ SC  
COMMISSIONER**

**DATE: JANUARY 4, 2006**

**RE: AGENDA ITEM**

---

Please place on the January 11<sup>th</sup>, City Commission Agenda for Approval to donate surplus police equipment listed below to the National Police Department in the Dominican Republic.

7 Bullet Proof Vests

24 Night Sticks

84 Gas Masks

134 Riot Helmets (approximate)

General Fadul the man in charge of the National Police Force approached Police Chief Don Delucca and I during the Annual Police Chiefs Dinner held in Miami Beach. He expressed the need their police department has for this equipment.

The Dominicans are the fastest growing minority in South Florida and this action would serve as a strong measure of good will. General Fadul has a second home in Miami Beach.

SC/ml

**Agenda Item** R9D  
**Date** 1-11-06



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# City of Miami Beach

F L O R I D A



**MURRAY H. DUBBIN**  
City Attorney

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## COMMISSION MEMORANDUM

**DATE:** January 11, 2006

**TO:** Mayor David Dermer  
Members of the City Commission  
City Manager Jorge M. Gonzalez

**FROM:** Murray H. Dubbin  
City Attorney

**SUBJECT:** City Attorney's Status Report

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### **I. LAWSUITS FILED BY OR AGAINST THE CITY OF MIAMI BEACH SINCE THE LAST REPORT**

1. Chase Home Finance, LLC Successor by merger to Chase Manhattan Mortgage Corporation vs. John J. Gonzalez a/k/a John Jason Gonzalez a/k/a John Gonzalez, et al. Eleventh Judicial Circuit, Case No. 05-22236 CA08

This is a mortgage foreclosure case for real property located at 2620 S.E. 19<sup>th</sup> Court, Homestead. There is money due the City of Miami Beach arising from a Special Master lien recorded in the names of John and Giannini due to their prior ownership of property located at 8440 Byron Avenue, Miami Beach. An Answer was filed on December 21, 2005 to protect any interests the City may have.

2. Chase Home Finance, LLC Successor by merger to Chase Manhattan Mortgage Corporation vs. Jordan Joseph Guggino, et al. Eleventh Judicial Circuit, Case No. 05-23441 CA12

This is a mortgage foreclosure case for real property located at 100 Lincoln Road, Miami Beach. There is money due the City of Miami Beach for utilities, City Bills (fire and code), Special Master liens, permits, licenses, certificates of use. An Answer was filed on December 21, 2005.

Mayor David Dermer  
Members of the City Commission  
City Manager Jorge M. Gonzalez  
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January 11, 2006

3. Austre Larramendi vs. City of Miami Beach, a Political Subdivision of the State of Florida Eleventh Judicial Circuit, Case No. 05-24121 CA08

The City was served with this complaint on December 12, 2005, wherein the Plaintiff alleges that on October 1, 2003, he tripped and fell on the sidewalk due to a hazardous condition that existed on the East side of Indian Creek Drive, just North of its intersection with Byron Avenue. Plaintiff is alleging personal injuries including, but not limited to, a fractured right wrist. An Answer and Affirmative Defenses will be timely filed and discovery propounded.

4. William Alan Greensher vs. City of Miami Beach, a Municipal Corporation of the State of Florida, and Eliseo Zacarias Eleventh Judicial Circuit, Case No. 05-24247 CA27

The City was served with this complaint on December 13, 2005, and Officer Zacarias was served with his suit on December 20, 2005, wherein the Plaintiff alleges that Officer Zacarias slandered and defamed him, intentionally inflicted emotional distress due to an incident occurring on February 15, 2004. It has propounded a claim against the City for negligent hiring, negligent supervision and vicarious liability for Officer Zacarias' alleged intentional torts. The City is filing a Motion to Abate, as the Plaintiff is in violation of Florida Statute 768.28 and a Motion to Dismiss with Prejudice the count for vicarious liability.

5. Caridad Rego, an Individual vs. City of Miami Beach, a Municipality Eleventh Judicial Circuit, Case No. 05-24390 CA03

The City was served with this complaint on December 20, 2005, wherein the Plaintiff alleges that on January 25, 2005, she tripped and fell on the raised corner of the reflecting pool located in front of the 407 Lincoln Road Building sustaining personal injuries including, but not limited to, a fractured left arm. An Answer and Affirmative Defenses will be timely filed and discovery propounded.

Mayor David Dermer  
Members of the City Commission  
City Manager Jorge M. Gonzalez  
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January 11, 2006

6. Robert Campbell, and Karen Campbell, his wife vs. City of Miami Beach Eleventh Judicial Circuit, Case No. 05-24841 CA06

The City was served with this complaint on December 21, 2005, wherein the Plaintiff alleges that on June 26, 2004, he tripped and fell over a depressed manhole located at the crosswalk of 10<sup>th</sup> Street and Ocean Drive. The Plaintiff alleges to have sustained several fractures due to the alleged trip and fall. An Answer and Affirmative Defenses will be timely filed as to Plaintiff Robert Campbell and a Motion to Abate will be filed as to the consortium claim of Karen Campbell, as she is in violation of Florida Statutes 768.28 with regard to notice to the City of her claim.

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# MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: City Manager Jorge M. Gonzalez

DATE: January 11, 2006

SUBJECT: **PARKING STATUS REPORT – SEPTEMBER 2005**

The following comments serve to preface attended parking facilities (garages and lots) performance for the month of September 2005. In September 2005, gross revenues at attended facilities (garage and lots) increased by 52.86% as compared to the prior year's period. During the month of September 2005, the Parking Department's attended locations earned a net profit of \$397,199.55. This is an increase in net profit of \$176,012.43 or 79.58% as compared to the same period in the prior year. The year to date net profit is \$6,241,274.42. This is a decrease in net profit of \$37,499.47 or 0.60%.

### **A) 17th Street Municipal Parking Garage: September 2005**

During the month of September 2005, the 17th Street Garage had net revenues of \$197,119.08. Net revenues are total revenues collected, minus sales tax, and are comprised of facility-specific access-card revenues of \$63,420.00, transient parking revenues of \$127,399.08 and valet rental fees of \$6,300.00. Net revenues increased from \$139,212.15 in 2004, to \$197,119.08 in 2005; a 41.60% increase in net revenues. After subtracting operating expenses of \$102,918.68 the facility had a net profit for the month in the amount of \$94,200.40. This represents an increase in net profit for the facility in the amount of \$32,923.97 or 53.73% when compared to the same period in the previous year. This increase is primarily attributable to an increase in transient parking revenue of \$52,386.93 and an increase in facility-specific access card revenue of \$5,520.00; off-set by an increase in attendant/cashier labor expense of \$23,415.05, an increase in revenue control equipment maintenance of \$2,528.44 and an increase in elevator maintenance expense of \$1,803.92 off-set by a decrease in security personnel of \$2,577.14. The 17th Street Garage served a total of 73,560 parkers in the month of September, 2005.

The transient numbers for September 2005 are an aberration caused by the International Association of Chiefs of Police Convention (September 24-28, 2005) which brought upwards of 50,000 attendees.

### **B) 7th Street Municipal Parking Garage: September 2005**

During the month of September 2005, the 7th Street Municipal Parking Garage had net revenues of \$151,206.09. Net revenues are total revenues collected, minus sales tax, and are comprised of facility-specific access-card revenues of \$16,050.00 and transient parking revenues of \$135,156.09. When compared to the same month in the prior year (September 2004), net revenues increased from \$95,998.12 in 2004 to \$151,206.09 in 2005; a 57.51% increase in net revenues. After subtracting operating expenses of \$67,968.04 and debt service of \$59,500.00 the facility had a net profit for the month in the amount of \$23,738.05. This is an increase in net profit of \$56,489.02 or 172.48% from September 2004. This

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increase is primarily attributable to an increase in transient parking revenue of \$52,957.97 and an increase in facility-specific access card revenue of \$2,250.00; off-set by an increase in security personnel of \$2,419.88, an increase in attendant/cashier labor expense of \$9,693.93, and an increase in revenue control equipment maintenance of \$2,253.35; off-set by a decrease in landscape maintenance expense of \$15,663.00. The 7th Street Garage served a total of 28,576 parkers in the month of September, 2005.

The transient numbers for September 2005 are an aberration caused by the International Association of Chiefs of Police Convention (September 24-28, 2005) which brought upwards of 50,000 attendees.

**C) 5 - A Municipal Surface Parking Lots (Washington Avenue to Pennsylvania and 17th Street): September 2005**

During the month of September 2005, the 5-A Surface Lots had net revenues of \$150,214.40. Net revenues are total revenues collected, minus sales tax, and are comprised of facility-specific access-card revenues of \$18,120.00 and transient parking revenues of \$132,094.40. Net revenues increased from \$101,256.53 in 2004, to \$150,214.40 in 2005; a 48.35% increase in net revenues. After subtracting operating expenses of \$50,571.29 the facility had a net profit for the month in the amount of \$99,643.11. This represents an increase in net profit for the facility in the amount of \$21,880.48 or 28.14% when compared to the same period in the previous year. This increase is primarily attributable to an increase in transient parking revenue of \$48,537.87; off-set by an increase in security personnel of \$7,462.06 and an increase in attendant/cashier labor expense of \$19,390.34. The 5-A Municipal Surface Parking Lot served a total of 40,768 parkers in the month of September, 2005.

The transient numbers for September 2005 are an aberration caused by the International Association of Chiefs of Police Convention (September 24-28, 2005) which brought upwards of 50,000 attendees.

**D) 12th Street Municipal Parking Garage: September 2005**

During the month of September 2005, the 12th Street Garage had net revenues of \$24,462.99. Net revenues are comprised of facility-specific monthly parking revenues of \$3,720.00 and transient parking revenues of \$20,742.99. When compared to the same month in the prior year (September 2004), net revenues increased from \$23,669.37 in 2004, to \$24,462.99 in 2005; a 3.35% increase in net revenues. After subtracting operating expenses of \$26,115.31 the facility had a net loss for the month in the amount of \$1,652.32. This is a decrease in net profit of \$9,143.99 or 122.06% from September 2004. This decrease is primarily attributable to a decrease in facility-specific monthly parking revenues of \$1,140.00 off-set by an increase in transient parking revenues of \$1,933.62; an increase in security personnel of \$2,141.57, an increase in attendant/cashier labor expense of \$4,676.04 and an increase in elevator maintenance of \$3,120.00. The 12th Street Garage served a total of 3,942 parkers in the month of September 2005.

**E) 13th Street Municipal Parking Garage: September 2005**

During the month of September 2005, the 13th Street Garage had net revenues of \$60,460.37. Net revenues are comprised of facility-specific monthly parking permit revenues of \$9,180.00 and transient parking revenues of \$51,280.37. Compared to the same month in the prior year (September 2004), net revenues increased from \$23,073.84 in 2004, to



\$60,460.37 in 2005; representing a 162.03% increase in net revenues. After subtracting operating expenses of \$29,237.36, the facility had a net profit for the month in the amount of \$31,223.01. This is an increase in net profit of \$37,675.90 or 583.86% from September 2004. This increase is primarily attributable to an increase in transient parking revenues of \$36,606.53; off-set by an increase in security personnel of \$1,210.88, an increase in revenue control equipment maintenance expense of 1,141.66 off-set by a decrease in attendant/ cashier labor expense of \$2,830.08. The 13th Street Garage served a total of 11,774 parkers in the month of September 2005.

The transient numbers for September 2005 are an aberration caused by the International Association of Chiefs of Police Convention (September 24-28, 2005) which brought upwards of 50,000 attendees.

**F) 16th Street-Anchor Parking Garage: September 2005**

During the month of September, 2005, the 16th Street Garage had net revenues of \$139,543.17. Net revenues are comprised of facility-specific monthly parking revenues of \$32,300, transient parking revenues of \$79,627.30, and valet rental fees of \$27,615.87. Compared to the same month in the prior year (September 2004), net revenues increased from \$73,365.40 in 2004, to \$139,543.17 in 2005; representing a 90.20% increase in net revenues. After subtracting operating expenses of \$52,686.74 the facility had a net profit for the month in the amount of \$86,856.43. This is an increase in net profit of \$53,140.75 or 157.61% from September 2004. This increase is primarily attributable to an increase in transient parking revenue of \$37,099.28, an increase in monthly parking revenue of \$4,750 and an increase in valet rental fees of \$24,328.49; off-set by an increase in attendant/cashier labor expense of \$8,413.52 and an increase in garage cleaning/maintenance expense of \$4,378.00. The 16th Street Garage served a total of 21,701 parkers in the month of September, 2005.

The transient numbers for September 2005 are an aberration caused by the International Association of Chiefs of Police Convention (September 24-28, 2005) which brought upwards of 50,000 attendees.

**G) 42nd Street Municipal Parking Garage: September 2005**

During the month of September, 2005, the 42nd Street Garage had net revenues of \$32,056.84. Net revenues are comprised of facility-specific monthly parking revenues of \$25,740.00 and transient parking revenues of \$6,316.84. Compared to the same month in the prior year of September (2004), net revenues decreased from \$37,372.32 in 2004, to \$32,056.84 in 2005; representing a 14.22% decrease in net revenues. After subtracting operating expenses of \$28,365.97 the facility had a net profit for the month in the amount of \$3,690.87. This is a decrease in net profit of \$16,953.70 or 82.12% from September 2004. This decrease is primarily attributable to a decrease in facility-specific monthly parking revenues of \$8,880.00 off-set by an increase in facility-specific parking revenues of \$3,564.52; an increase in security personnel expense of \$6,495.99, an increase in attendant/cashier labor expenses of \$1,180.64, and an increase in revenue control equipment maintenance expense of \$3,724.66. The 42nd Street Garage served a total of 16,237 parkers in the month of September, 2005.

**H) Electronic Parking Meter Revenue Comparison: September 2005**

This statement compares parking meter revenue collected in September 2005, with revenue

collected in September 2004. When comparing revenues for September 2005 in the amount of \$790,091.68 to revenues for September 2004 in the amount of \$560,872.86, the report reflects an increase of \$229,218.82 or 40.87% in revenues collected. Meter revenue collected does not reflect the change in monthly decal parkers (both commercial and residential), valet rental or construction rental of meters, or metered surface lots either taken out of service, or managed differently than the previous year. In the month of September 2005 decal and permit revenue received was \$120,110.61 and meter rental revenue (valet, construction, and special events) was \$67,883.54 versus \$102,855.35 and \$42,888.31 respectively in September 2004. The combined total revenue produced at meters for the month of September 2005 was \$978,085.83. This reflects an increase from the previous year in the amount of \$271,469.31 or 38.42%.

**I) Parking and Transportation Smart Card Sales: September 2005**

In the month of September 2005, the Parking Department sold 1,953 Parking Meter Cards to merchants, vendors, hoteliers, and the public, for revenues in the amount of \$47,107.50.

**J) Hotel Hangtag Sales: September 2005**

In the month of September 2005, the Parking Department sold 1,650 hotel hangtags to hoteliers in the amount of \$9,900.

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**CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
FINANCIAL REPORT SUMMARY  
September 2005**

LOCATION	REVENUE			EXPENSES			PROFIT/(LOSS)	
	2004 September	2005 September	Increase/ (Decrease)	Percent of Increase/ (Decrease)	2004 September	2005 September	Increase/ (Decrease)	Percent of Increase/ (Decrease)
17 St. Garage	139,212.15	197,119.08	57,906.93	41.60%	77,935.72	102,918.68	24,982.96	32.06%
7th St. Garage	95,998.12	151,206.09	55,207.97	57.51%	69,249.09	87,968.04	(1,281.05)	-1.85%
17th St. Lots	101,256.53	150,214.40	48,957.87	48.35%	23,493.90	50,571.29	27,077.39	115.25%
12th St. Garage	23,669.37	24,462.99	793.62	3.35%	16,177.70	26,115.31	9,937.61	61.43%
13th St. Garage	23,073.84	60,460.37	37,386.53	162.03%	29,526.73	29,237.36	(289.37)	-0.98%
42nd St. Garage	37,372.32	32,056.84	(5,315.48)	-14.22%	16,727.75	28,365.97	11,638.22	69.57%
16th St. - Anchor	73,365.40	139,543.17	66,177.77	90.20%	39,649.72	52,686.74	13,037.02	32.88%
<b>Totals</b>	<b>493,947.73</b>	<b>755,062.94</b>	<b>261,115.21</b>	<b>52.86%</b>	<b>272,760.61</b>	<b>357,863.39</b>	<b>85,102.78</b>	<b>31.20%</b>

Revenue Per Space      Expenses Per Space      Profit/(Loss) Per Space

17 St. Garage	135.01	70.49	64.52	The 17th Street Garage has 1,460 spaces.
7th St. Garage	234.07	105.21	128.85	The 7th Street Garage has 646 spaces.
17th St. Lots	296.87	99.94	196.92	The 17th Street Lots have 506 spaces.
12th St. Garage	182.56	194.89	(12.33)	The 12th Street Garage has 134 spaces.
13th St. Garage	211.40	102.23	109.17	The 13th Street Garage has 286 spaces.
42nd St. Garage	51.70	45.75	5.95	The 42nd Street Garage has 620 spaces.
16th St. - Anchor	173.78	65.61	108.16	The 16th Street - Anchor Garage has 803 spaces.

**CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
FINANCIAL REPORT SUMMARY - YEAR TO DATE  
October 2004 - September 2005**

LOCATION	REVENUE			EXPENSES			PROFIT/(LOSS)			Percent of Increase/Decrease	Percent of Increase/Decrease
	2004 September YTD	2005 September YTD	Increase/ (Decrease)	2004 September YTD	2005 September YTD	Increase/ (Decrease)	2004 September YTD	2005 September YTD	Increase/ (Decrease)		
17 St. Garage	2,391,103.92	2,632,131.31	241,027.39	947,733.23	1,196,835.84	249,102.61	1,443,370.69	1,435,295.47	(8,075.22)	26.28%	-0.56
7th St. Garage	2,016,862.52	2,088,527.99	71,665.47	673,521.35	781,053.25	107,531.90	1,343,341.17	1,307,474.74	(35,866.43)	15.97%	-2.87
17th St. Lots	1,824,220.80	1,965,731.27	141,510.47	304,169.63	435,139.79	130,970.16	1,520,051.17	1,530,591.48	10,540.31	43.06%	0.69
12th St. Garage	401,730.23	434,160.40	32,430.17	218,121.97	249,529.87	31,407.90	183,808.26	184,630.53	1,022.27	14.40%	0.56
13th St. Garage	665,989.50	729,942.31	63,952.81	365,341.32	376,315.72	10,974.40	300,648.18	353,626.59	52,978.41	3.00%	17.62
42nd St. Garage	456,051.73	393,255.28	(62,796.45)	197,923.63	237,833.29	39,909.66	258,128.10	155,421.99	(102,706.11)	20.16%	-39.79
16th St. - Anchor	1,736,201.34	1,891,914.95	155,713.61	506,575.02	617,881.33	111,106.31	1,229,626.32	1,274,233.62	44,607.30	21.93%	3.63
<b>Totals</b>	<b>9,492,160.04</b>	<b>10,135,663.51</b>	<b>643,503.47</b>	<b>3,213,386.15</b>	<b>3,894,389.09</b>	<b>681,002.94</b>	<b>6,278,773.89</b>	<b>6,241,274.42</b>	<b>(37,499.47)</b>	<b>21.19%</b>	<b>-0.60</b>

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	Revenue Per Space	Expenses Per Space	Profit/(Loss) Per Space	
17 St. Garage	1,802.83	819.75	983.08	The 17th Street Garage has 1,460 spaces.
7th St. Garage	3,233.02	1,209.06	2,023.95	The 7th Street Garage has 646 spaces.
17th St. Lots	3,884.84	859.96	3,024.88	The 17th Street Lots have 506 spaces.
12th St. Garage	3,240.00	1,862.16	1,377.84	The 12th Street Garage has 134 spaces.
13th St. Garage	2,552.25	1,315.79	1,236.46	The 13th Street Garage has 286 spaces.
42nd St. Garage	634.28	383.60	250.68	The 42nd Street Garage has 620 spaces.
16th St. - Anchor	2,356.06	769.22	1,586.84	The 16th Street - Anchor Garage has 803 spaces.

**CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
PROFIT & LOSS STATEMENT  
17th Street Garage - 2G  
September 2005**

LOCATION	ACCOUNTING CODE	2004 September	2005 September	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
<b>17th Street Garage - 2G</b>						
<b>Revenue</b>						
Revenue-Ticket	480-8000-344583	75,012.15	127,399.08	52,386.93		
Revenue - Valet	480-8000-344583	6,300.00	6,300.00	0.00		
Revenue-Monthly Permits	480-8000-344514	57,900.00	63,420.00	5,520.00		
	<b>17th Street - 2G REVENUE</b> (Sales Tax Excluded)	<b>139,212.15</b>	<b>197,119.08</b>	<b>57,906.93</b>	<b>41.60%</b>	<b>\$135.01</b>
<b>Expenses</b>						
Security Personnel		14,711.73	12,134.59	(2,577.14) (1).		
Attendant/Cashier Labor		43,040.60	66,455.65	23,415.05 (2).		
FP&L		6,473.39	6,273.08	(200.31) (3).		
Revenue Control Equipment Maintenance		1,936.67	4,465.11	2,528.44 (4).		
Armed Guard Revenue Pickup		420.00	433.00	13.00 (5).		
Elevator Maintenance		425.00	2,228.92	1,803.92 (6).		
Landscape Maintenance		108.33	108.33	0.00		
Garage Cleaning/Maintenance		10,820.00	10,820.00	0.00		
	<b>17th St. Garage - 2G EXPENSES</b>	<b>77,935.72</b>	<b>102,918.68</b>	<b>24,982.96</b>	<b>32.06%</b>	<b>\$70.49</b>
	<b>17th St. Garage PROFIT/(LOSS)</b>	<b>61,276.43</b>	<b>94,200.40</b>	<b>32,923.97</b>	<b>53.73%</b>	<b>\$64.52</b>
<b>Number of Spaces</b>						<b>1460</b>

**Notes:**

The 17th Street Garage has 1460 spaces. Approximately 40% of the annual revenue is from monthly parkers including valet rentals. The remainder of income is derived from Lincoln Road, Conventions, TOPA, and the New World Symphony.

(1). September 2004 Security Personnel figure consists of 1,199.00 total labor hours. While, September 2005 Security Personnel figure consists of only 1013.75 total labor hours.

(2). September 2004 Attendant/Cashier Labor figure consists of \$43,040.60 total labor cost. While, September 2005 Attendant/Cashier Labor figure consists of 66,455.65 total labor cost. The increase is due to new "Living Wage" requirements.

(3). September 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is an estimate based on the average of the FP&L charges from October 2003 through February 2004.

(4). September 2004 Revenue Control Equipment charge of \$ 1,936.67 reflects the regular monthly service charge of \$ 1,666.67, plus a charge of \$ 270 for two additional service calls. While 2005 Revenue Control Equipment charge of \$4,465.11 reflects the regular monthly service charge of \$1,891.66, plus a charge of \$2,573.45 for three additional service calls.

(5). September 2005 Armed Guard Revenue Pick up charge of \$433.00 reflects the new regular monthly service charge from Brinks.

(6). September 2005 Elevator Maintenance cost reflects the regular monthly service charge of \$425.00 plus a charge of \$1,803.92 for two additional service calls.

City of Miami Beach  
Parking Department  
Daily Revenue Report  
17th Street Garage - 2G

September 2005

Date	Day	Total Vehicle Entries	Peak Period	Peak Vehicle Count	Daily Ticket Revenue
1	Thursday	2196	17:00-17:59	450	\$2,361.68
2	Friday	2786	22:00-22:59	398	\$4,615.89
3	Saturday	3664	16:00-16:59	628	\$11,251.40
4	Sunday	3888	16:00-16:59	683	\$12,634.58
5	Monday	2843	13:00-13:59	620	\$7,187.85
6	Tuesday	1296	08:00-08:59	242	\$2,664.49
7	Wednesday	2004	17:00-17:59	298	\$1,917.76
8	Thursday	2138	17:00-17:59	324	\$2,346.73
9	Friday	2665	17:00-17:59	366	\$3,783.18
10	Saturday	2328	20:00-20:59	373	\$4,854.21
11	Sunday	2002	16:00-16:59	327	\$3,963.55
12	Monday	2001	17:00-17:59	321	\$1,969.16
13	Tuesday	2336	17:00-17:59	370	\$2,454.21
14	Wednesday	2718	17:00-17:59	447	\$3,863.55
15	Thursday	2729	17:00-17:59	464	\$4,032.71
16	Friday	2911	17:00-17:59	408	\$4,180.37
17	Saturday	3364	23:00-23:59	602	\$8,037.38
18	Sunday	2284	00:00-00:59	466	\$4,914.95
19	Monday	1286	14:00-14:59	257	\$572.90
20	Tuesday	365	18:00-18:59	123	\$569.16
21	Wednesday	2090	17:00-17:59	337	\$2,146.73
22	Thursday	2149	17:00-17:59	347	\$2,219.63
23	Friday	3045	17:00-17:59	415	\$4,236.45
24	Saturday	3365	22:00-22:59	600	\$7,628.97
25	Sunday	2736	17:00-17:59	554	\$6,559.81
26	Monday	2417	17:00-17:59	546	\$4,010.28
27	Tuesday	2629	11:00-11:59	442	\$3,872.90
28	Wednesday	2328	00:00-00:59	91	\$2,205.61
29	Thursday	2274	17:00-17:59	358	\$2,331.78
30	Friday	2723	22:00-22:59	378	\$4,011.21
	<b>TOTAL</b>	<b>73,560</b>			<b>\$127,399.08</b>
<b>MONTHLY PERMIT REVENUE</b>					<b>\$63,420.00</b>
<b>VALET REVENUE</b>					<b>\$6,300.00</b>
<b>TOTAL NET REVENUE</b>					<b>\$197,119.08</b>

**CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
PROFIT & LOSS STATEMENT  
7th Street Garage - 1G  
September 2005**

LOCATION	ACCOUNTING CODE	2004 September	2005 September	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
<b>7th Street Garage - 1G</b>						
<b>Revenue</b>						
Revenue-Ticket	142-8000-344404	82,198.12	135,156.09	52,957.97		
Revenue-Monthly Permits	142-8000-344404	<u>13,800.00</u>	<u>16,050.00</u>	<u>2,250.00</u>		
	<b>7th Street - 1G REVENUE</b> (Sales Tax Excluded)	<b>95,998.12</b>	<b>151,206.09</b>	<b>55,207.97</b>	<b>57.51%</b>	<b>\$234.07</b>
<b>Expenses</b>						
Security Personnel		17,055.31	19,475.19	2,419.88 (1).		
Attendant/Cashier Labor		19,097.97	28,791.90	9,693.93 (2).		
Landscape Maintenance		16,581.67	918.67	(15,663.00) (3).		
FP&L		3,067.37	2,879.55	(187.82) (4).		
Revenue Control Equipment Maintenance		1,200.00	3,453.35	2,253.35 (5).		
Garage Cleaning/Maintenance		9,242.00	9,242.00	0.00		
Armed Guard Revenue Pickup		420.00	433.00	13.00 (6).		
Elevator Maintenance		2,050.17	2,162.97	112.80 (7).		
Surveillance System Maintenance		<u>534.60</u>	<u>611.41</u>	<u>76.81</u> (8).		
	<b>7th Street - 1G EXPENSES</b>	<b>69,249.09</b>	<b>67,968.04</b>	<b>(1,281.05)</b>	<b>-1.85%</b>	<b>\$105.21</b>
	<b>7th St. Estimated Debt Service</b>	<b>59,500.00</b>	<b>59,500.00</b>	<b>0.00</b>	<b>0.00%</b>	<b>\$92.11</b>
	<b>7th St. PROFIT/(LOSS)</b>	<b>(32,750.97)</b>	<b>23,738.05</b>	<b>56,489.02</b>	<b>172.48%</b>	<b>\$36.75</b>
<b>Number of Spaces</b>						<b>646</b>

**Notes:**

Generators for this garage are local workers, restaurants, hotels, construction, visitors to SOBE, local beach goers, restaurant patrons, and nightclub patrons.

(1). September 2004 Security Personnel figure consists of only 1,390.00 total labor hours. While, September 2005 Security Personnel figure consists of only 1,627.00 total labor hours.

(2). September 2004 Attendant/Cashier Labor figure consists of \$19,097.97 total cost. While, September 2005 Attendant/Cashier Labor figure consists of \$28,791.90 total cost. The increase is due to new "Living Wage" requirements.

(3). September 2004 Landscape Maintenance charge reflects the regular monthly service charge of \$918.67, plus three additional service charges of \$153, \$6,570, and \$8,940 for parts and labor to repair an irrigation break, tree trimming on the east side of the Garage and tree trimming on the south side. While September 2005 reflects the monthly regular charge of \$ charge of \$ 918.67.

(4). September 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is an estimate based on the average of the FP&L charges from October 2003 through February 2004.

(5). September 2004 Revenue Control Equipment Maintenance charge reflects the regular monthly service charge of \$700, plus two additional charges of \$330 and \$170 for a computer repair and two service calls. While September 2005 reflects the monthly charge of \$ 775, plus two additional charges of \$499.35 and \$2179 for one service call and printer for APP EPSON NEW.

(6)-September 2005 reflects the new monthly charge of \$ 433.00 from Brinks.

(7). September 2005 Elevator Maintenance charge reflects the regular monthly service charge of \$1,065.17 plus two additional services of \$534 and \$563.80 on Aug/Sep/05.

(8). September 2005 Surveillance System Maintenance charge reflects the regular monthly service charge of \$611.41

City of Miami Beach  
Parking Department  
Daily Revenue Report  
7th Street Garage - 1G

September-05

Date	Day	Total Vehicle Entries	Peak Period	Peak Vehicle Count	Daily Space Rental Goldman - No Tax	Daily Space Rental Other - Incl. Tax	Daily Revenue Including Tax
1	Thursday	625	19:00-19:59	104	387.50	144.45	\$1,794.00
2	Friday	1173	23:00-23:59	221	387.50	144.45	\$8,657.00
3	Saturday	2031	23:00-23:59	302	387.50	144.45	\$11,127.00
4	Sunday	1874	16:00-16:59	275	387.50	144.45	\$12,624.00
5	Monday	1152	00:00-00:59	225	387.50	144.45	\$4,131.00
6	Tuesday	424	17:00-17:59	71	387.50	144.45	\$1,626.00
7	Wednesday	499	14:00-14:59	89	387.50	144.45	\$1,412.00
8	Thursday	623	15:00-15:59	111	387.50	144.45	\$1,766.00
9	Friday	1128	23:00-23:59	231	387.50	144.45	\$7,528.00
10	Saturday	1633	13:00-13:59	274	387.50	144.45	\$8,768.00
11	Sunday	1509	13:00-13:59	287	387.50	144.45	\$5,630.00
12	Monday	548	16:00-16:59	93	387.50	144.45	\$2,209.00
13	Tuesday	634	14:00-14:59	102	387.50	144.45	\$1,731.00
14	Wednesday	591	16:00-16:59	94	387.50	144.45	\$1,719.00
15	Thursday	734	17:00-17:59	108	387.50	144.45	\$2,283.00
16	Friday	1203	23:00-23:59	215	387.50	144.45	\$8,249.00
17	Saturday	2005	23:00-23:59	283	387.50	144.45	\$12,984.00
18	Sunday	1688	13:00-13:59	293	387.50	144.45	\$7,108.00
19	Monday	242	13:00-13:59	64	387.50	144.45	\$1,081.00
20	Tuesday	87	17:00-17:59	52	387.50	144.45	\$296.00
21	Wednesday	449	18:00-18:59	91	387.50	144.45	\$1,511.00
22	Thursday	572	18:00-18:59	96	387.50	144.45	\$1,734.00
23	Friday	1121	23:00-23:59	224	387.50	144.45	\$7,628.00
24	Saturday	2039	17:00-17:59	296	387.50	144.45	\$11,734.00
25	Sunday	1555	17:00-17:59	283	387.50	144.45	\$6,629.00
26	Monday	0	19:00-19:59	150	387.50	144.45	\$2,774.00
27	Tuesday	583	19:00-19:59	107	387.50	144.45	\$1,879.00
28	Wednesday	528	13:00-13:59	96	387.50	144.45	\$1,712.00
29	Thursday	510	19:00-19:59	93	387.50	144.45	\$1,490.00
30	Friday	816	23:00-23:59	124	387.50	144.45	\$4,803.00
<b>TOTAL</b>		<b>28,576</b>			<b>\$11,625.00</b>	<b>\$4,333.50</b>	<b>\$144,617.00</b>

<b>TOTAL GROSS REVENUE</b>	<b>\$11,625.00</b>	<b>\$4,333.50</b>	<b>\$144,617.00</b>
<b>SALES TAX</b>	<b>\$0.00</b>	<b>\$283.50</b>	<b>\$9,460.91</b>
<b>TOTAL NET REVENUE</b>	<b>\$11,625.00</b>	<b>\$4,050.00</b>	<b>\$135,156.09</b>

<b>Monthly Budgeted Revenue Needed to Break Even - FY 04/05</b> (Includes Debt Service)			
<b>Less Current Month Net Revenue</b>			<b>\$150,831.09</b>
<b>Over/(Short)</b>			<b>\$150,831.09</b>
<b>Monthly Space Rental</b>			
Goldman Properties - 155	\$11,625.00	No tax included	
Other - 54	\$4,333.50	Tax included	



CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
PROFIT & LOSS STATEMENT  
17th Street Lots - 5A - East and West  
September 2005

LOCATION	ACCOUNTING CODE	2004 September	2005 September	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
<b>17th Street Lots - 5A East &amp; West</b>						
<b>Revenue</b>						
Revenue-Ticket	480-8000-344515	83,556.53	132,094.40	48,537.87		
Revenue-Monthly Permits	480-8000-344596	17,700.00	18,120.00	420.00		
	<b>17th Street Lots - 5A REVENUE</b> (Sales Tax Excluded)	<b>101,256.53</b>	<b>150,214.40</b>	<b>48,957.87</b>	<b>48.35%</b>	<b>\$296.87</b>
<b>Expenses</b>						
Security Personnel		539.89	8,001.95	7,462.06 (1).		
Attendant/Cashier Labor		20,393.19	39,783.53	19,390.34 (2).		
Revenue Control Equipment Maintenance		1,666.67	1,891.66	224.99 (3).		
Landscape Maintenance		502.67	502.67	0.00		
FP&L		391.48	391.48	0.00		
	<b>17th St. Lots - 5A EXPENSES</b>	<b>23,493.90</b>	<b>50,571.29</b>	<b>27,077.39</b>	<b>115.25%</b>	<b>\$99.94</b>
	<b>17th St. Lots - 5A PROFIT/(LOSS)</b>	<b>77,762.63</b>	<b>99,643.11</b>	<b>21,880.48</b>	<b>28.14%</b>	<b>\$196.92</b>
<b>Number of Spaces</b>						<b>506</b>

**Notes:**

(1). September 2004 Security Personnel figure consists of only 44 total labor hours. While, September 2005 Security Personnel figure consists of only 668.50 total labor hours.

(2). September 2004 Attendant/Cashier Labor figure consists of total \$20,393.19 . While, September 2005 Attendant/Cashier Labor figure consists of \$39,783.53. The increase is due to new "Living Wage" requirements.

(3)-September 2005 Revenue Control Equipment Maintenance charge of \$ 1,891.66 reflects the new regular monthly service charge from Consolidated Parking Equipment.

City of Miami Beach  
Parking Department  
5A Surface Lots East and West

September-05

Date	Day	East Total Vehicle Entries	East Daily Ticket Revenue	West Total Vehicle Entries	West Daily Ticket Revenue	Total Daily Ticket Revenue
1	Thursday	668	\$1,948.60	519	\$1,485.98	\$3,434.58
2	Friday	951	\$3,599.07	747	\$2,754.21	\$6,353.28
3	Saturday	914	\$4,114.95	855	\$3,947.66	\$8,062.61
4	Sunday	965	\$4,578.50	1057	\$4,342.06	\$8,920.56
5	Monday	748	\$2,025.23	658	\$1,738.32	\$3,763.55
6	Tuesday	486	\$1,792.52	320	\$1,250.47	\$3,042.99
7	Wednesday	687	\$1,701.87	539	\$1,171.03	\$2,872.90
8	Thursday	832	\$2,461.68	542	\$1,633.64	\$4,095.32
9	Friday	866	\$3,221.50	679	\$2,541.12	\$5,762.62
10	Saturday	774	\$3,145.79	526	\$2,095.33	\$5,241.12
11	Sunday	771	\$2,173.83	508	\$1,248.60	\$3,422.43
12	Monday	728	\$1,698.13	427	\$975.70	\$2,673.83
13	Tuesday	725	\$1,774.77	538	\$1,327.10	\$3,101.87
14	Wednesday	759	\$2,169.16	688	\$1,397.20	\$3,566.36
15	Thursday	733	\$2,394.39	724	\$2,016.82	\$4,411.21
16	Friday	895	\$3,214.95	740	\$2,744.86	\$5,959.83
17	Saturday	886	\$4,316.82	652	\$3,014.02	\$7,330.84
18	Sunday	871	\$2,896.26	679	\$1,980.37	\$4,876.63
19	Monday	459	\$534.58	307	\$331.78	\$866.36
20	Tuesday	60	\$144.86	70	\$123.36	\$268.22
21	Wednesday	674	\$1,422.43	571	\$1,192.52	\$2,614.95
22	Thursday	683	\$1,936.45	523	\$1,327.10	\$3,263.55
23	Friday	888	\$3,467.29	793	\$2,746.73	\$6,214.02
24	Saturday	1012	\$4,276.64	848	\$3,437.38	\$7,714.02
25	Sunday	840	\$2,634.58	757	\$2,145.79	\$4,780.37
26	Monday	584	\$1,617.76	507	\$1,798.13	\$3,415.89
27	Tuesday	701	\$1,714.02	544	\$2,028.04	\$3,742.06
28	Wednesday	737	\$1,690.65	681	\$1,303.74	\$2,994.39
29	Thursday	723	\$2,252.34	523	\$1,536.45	\$3,788.79
30	Friday	910	\$3,116.82	716	\$2,422.43	\$5,539.25
		<b>22,530</b>	<b>74,036.44</b>	<b>18,238</b>	<b>\$58,057.94</b>	<b>\$132,094.40</b>
<b>MONTHLY PERMIT REVENUE</b>						<b>\$18,120.00</b>
<b>TOTAL NET REVENUE</b>						<b>\$150,214.40</b>

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CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
PROFIT & LOSS STATEMENT  
12th Street Garage - 2A  
September 2005

LOCATION	ACCOUNTING CODE	2004 September	2005 September	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
<b>12th Street Garage - 2A</b>						
<b>Revenue</b>						
Revenue-Ticket	480-8000-344504	18,809.37	20,742.99	1,933.62		
Revenue-Monthly Permits	480-8000-344593	<u>4,860.00</u>	<u>3,720.00</u>	<u>(1,140.00)</u>		
	<b>12th Street - 2A REVENUE</b> (Sales Tax Excluded)	<b>23,669.37</b>	<b>24,462.99</b>	<b>793.62</b>	<b>3.35%</b>	<b>\$182.56</b>
<b>Expenses</b>						
Security Personnel		6,408.01	8,549.58	2,141.57 (1).		
Attendant/Cashier Labor		8,015.15	12,691.19	4,676.04 (2).		
FP&L		108.54	108.54	0.00		
Elevator Maintenance		125.00	3,245.00	3,120.00 (3).		
Garage Cleaning/Maintenance		<u>1,521.00</u>	<u>1,521.00</u>	<u>0.00</u>		
	<b>12th Street - 2A EXPENSES</b>	<b>16,177.70</b>	<b>26,115.31</b>	<b>9,937.61</b>	<b>61.43%</b>	<b>\$194.89</b>
	<b>12th Street - 2A PROFIT/(LOSS)</b>	<b>7,491.67</b>	<b>(1,652.32)</b>	<b>(9,143.99)</b>	<b>-122.06%</b>	<b>-\$12.33</b>
<b>Number of Spaces</b>						<b>134</b>

**Notes:**

The 12th Street Garage achieves 16% of it revenue from permits, the balance is from transients arriving for court appearances, local workers, beachgoers, and nightclub patrons.

(1). September 2004 Security Personnel figure consists of 530.25 total labor hours. While, September 2005 Security Personnel figure consists of only 714.25 total labor hours.

(2). September 2004 Attendant/Cashier Labor figure consists of \$8,015.15 total cost. While, September 2005 Attendant/Cashier Labor figure consists of \$12,691.19. The increase is due to new "Living Wage" requirements.

(3). September 2005 regular maintenance stays the same \$125.00 plus additional \$3120 for repair related to damage caused by Hurricane Katrina.

City of Miami Beach  
Parking Department  
12th Street Garage - 2A Garage

9/1/2005

Date	Day	CMB	ARMOR	P.O	EMPLOYEE	COURT	BEST	HAND.	OTHERS	DAILY TICKETS	TOTAL ENTRIES	Daily Ticket Revenue
1	Thursday	1		4		1		2		179	188	\$857.94
2	Friday							1	1	178	181	\$1,035.51
3	Saturday							4		150	154	\$1,177.57
4	Sunday							1		165	166	\$1,338.32
5	Monday									73	73	\$650.47
6	Tuesday		4		5			2	25	82	118	\$469.16
7	Wednesday	1	5		3	1		3	37	100	150	\$476.64
8	Thursday	4	1	2	3	4		1	2	103	120	\$547.66
9	Friday	1	4		5	4		4	8	130	156	\$871.03
10	Saturday	1	3		2			3	4	119	132	\$897.20
11	Sunday		3		4			1	3	102	113	\$829.91
12	Monday	1	3		9			2	1	94	110	\$508.41
13	Tuesday	3	4		9	1		2	30	99	148	\$453.27
14	Wednesday	1	2		4	4		5	32	109	157	\$567.29
15	Thursday	1	6	3	4	3		3	9	136	165	\$680.37
16	Friday	1	7	1	4	4			9	105	131	\$661.68
17	Saturday		3	1	1	1		5	3	116	130	\$928.97
18	Sunday		2		6			1		110	119	\$897.20
19	Monday		1		3				1	20	25	\$123.36
20	Tuesday		2		4				1	27	34	\$166.36
21	Wednesday	3	3		4	4		1	28	117	160	\$562.62
22	Thursday	1	6	1	7	2		6	7	106	136	\$551.40
23	Friday	1	4		5	4		4	4	132	154	\$867.29
24	Saturday	1	2		1	1		3	2	113	123	\$874.77
25	Sunday		2		4			2		94	102	\$770.09
26	Monday		3		7			2	2	86	100	\$474.77
27	Tuesday	1	2		5	2		1	26	124	161	\$545.79
28	Wednesday		2		7	2		1	33	106	151	\$514.02
29	Thursday	2	2	2	6	2		2	3	122	141	\$592.52
30	Friday		4	1	4	5		5	2	123	144	\$851.40
<b>TOTAL</b>		<b>24</b>	<b>80</b>	<b>15</b>	<b>116</b>	<b>45</b>	<b>0</b>	<b>67</b>	<b>273</b>	<b>3320</b>	<b>3942</b>	<b>\$20,742.99</b>
<b>MONTHLY PERMIT REVENUE</b>											<b>\$3,720.00</b>	
<b>TOTAL NET REVENUE</b>											<b>\$24,462.99</b>	

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**CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
PROFIT & LOSS STATEMENT  
13th Street Garage - 17A  
September 2005**

LOCATION	ACCOUNTING CODE	2004 September	2005 September	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
<b>13th Street Garage - 17A</b>						
<b>Revenue</b>						
Revenue-Ticket	480-8000-344566	14,673.84	51,280.37	36,606.53		
Revenue-Monthly Permits	480-8000-344527	<u>8,400.00</u>	<u>9,180.00</u>	<u>780.00</u>		
<b>13th Street - 17A REVENUE</b> (Sales Tax Excluded)		<b>23,073.84</b>	<b>60,460.37</b>	<b>37,386.53</b>	<b>162.03%</b>	<b>\$211.40</b>
<b>Expenses</b>						
Security Personnel		8,122.74	9,333.62	1,210.88 (1).		
Attendant/Cashier Labor		16,921.34	14,091.26	(2,830.08) (2).		
Landscape Maintenance		216.67	216.67	0.00		
FP&L		1,404.98	1,580.15	175.17 (3).		
Revenue Control Equipment Maintenance		750.00	1,891.66	1,141.66 (4).		
Elevator Maintenance		170.00	170.00	0.00		
Armed Guard Revenue Pickup		420.00	433.00	13.00 (5).		
Garage Cleaning/Maintenance		<u>1,521.00</u>	<u>1,521.00</u>	<u>0.00</u>		
<b>13th Street - 17A EXPENSES</b>		<b>29,526.73</b>	<b>29,237.36</b>	<b>(289.37)</b>	<b>-0.98%</b>	<b>\$102.23</b>
<b>13th Street - 17A PROFIT/(LOSS)</b>		<b>(6,452.89)</b>	<b>31,223.01</b>	<b>37,675.90</b>	<b>583.86%</b>	<b>\$109.17</b>
<b>Number of Spaces</b>						<b>286</b>

**Notes:**

The 13th Street Garage achieves 15% of its revenue from permits, the balance is transient revenue. The generators are residents, local workers, construction workers, visitors to SOBE, beachgoers, and restaurant patrons.

(1). September 2004 Security Personnel figure consists of 662.00 total labor hours. While, September 2005 Security Personnel figure consists of only 779.25 total labor hours.

(2). September 2004 Attendant/Cashier Labor figure consists of \$16,921.34 total labor cost. While, September 2005 Attendant/Cashier Labor figure consists of \$14,091.26 total labor cost. The Decrease is due to the new automated pay on foot machine.

(3). September 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is an estimate based on the average of the FP&L charges from October 2003 through February 2004.

(4). September 2005 Revenue Control Equipment Maintenance charge of \$1,891.66 reflects the regular monthly service charge from Consolidated Parking Equipment.

(5). September 2005 Armed Guard Revenue Pickup charge of \$433.00 reflects the new monthly service charge from Brinks.

## September-05

[illegible]

**CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
PROFIT & LOSS STATEMENT  
16th Street - Anchor Garage  
September 2005**

LOCATION	ACCOUNTING CODE	2004 September	2005 September	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
<b>16th Street - Anchor Garage</b>						
<b>Revenue</b>						
Revenue-Ticket	463-8000-344911	42,528.02	79,627.30	37,099.28		
Revenue -Valet-Loew's	463-8000-344587	3,287.38	27,615.87	24,328.49		
Revenue-Valet-Royal Palm	463-8000-344587	0.00	0.00	0.00		
Revenue-Monthly Permits	463-8000-344903	27,550.00	32,300.00	4,750.00		
	<b>16th St. - Anchor Garage REVENUE</b> (Sales Tax Excluded)	<b>73,365.40</b>	<b>139,543.17</b>	<b>66,177.77</b>	<b>90.20%</b>	<b>\$173.78</b>
<b>Expenses</b>						
Security Personnel		10,164.07	10,324.14	160.07 (1).		
Attendant/Cashier Labor		17,947.67	26,361.19	8,413.52 (2).		
FP&L		3,800.00	3,789.76	(10.24) (3).		
Revenue Control Equipment Maintenance		775.00	775.00	0.00		
Armed Guard Revenue Pickup		420.00	433.00	13.00 (4).		
Elevator Maintenance		1,097.97	1,180.64	82.67 (5).		
Landscape Maintenance		152.00	152.00	0.00		
Garage Cleaning/Maintenance		4,864.00	9,242.00	4,378.00 (6).		
Sanitation (Waste Removal)		179.01	179.01	0.00		
Fire Alarm Service		250.00	250.00	0.00		
	<b>16th St. - Anchor Garage EXPENSES</b>	<b>39,649.72</b>	<b>52,686.74</b>	<b>13,037.02</b>	<b>32.88%</b>	<b>\$65.61</b>
	<b>16th St. Garage PROFIT/(LOSS)</b>	<b>33,715.68</b>	<b>86,856.43</b>	<b>53,140.75</b>	<b>157.61%</b>	<b>\$108.16</b>
<b>Number of Spaces</b>						<b>803</b>

**Notes:**

Garage contract awarded effective June 9, 2003.

(1) September 2004 Security Personnel figure consists of only 834.75 total labor hours. While, September 2005 Security Personnel figure consists of 862.50 total labor hours.

(2). September 2004 Attendant/Cashier Labor figure consists of \$17,947.67 total labor cost . While, September 2005 Attendant/Cashier Labor figure consists of \$26,361.19 total labor cost . The increase is due to new "Living Wage" requirements.

(3). September 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is an estimate based on the average of the FP&L charges from October 2003 through April 2004

(4)- September 2005 Armed Guard Revenue Pickup figure consists of \$433.00. New contract from Brinks.

(5). September 2005 Elevator Maintenance charge reflects the new regular monthly service charge of \$1,180.64

(6). September 2005 Garage Cleaning/Maintenance charge of \$9,242 reflects the new regular monthly service charge from Best Maintenance. The increase is due to new "Living Wage" requireme

CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
PROFIT & LOSS STATEMENT  
42nd Street Garage - 8A  
September 2005

LOCATION	ACCOUNTING CODE	2004 September	2005 September	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
<b>42nd St. Garage - 8A</b>						
<b>Revenue</b>						
Revenue-Ticket	480-8000-344531	2,752.32	6,316.84	3,564.52		
Revenue-Monthly Permits	480-8000-344595	34,620.00	25,740.00	(8,880.00)		
<b>42nd Street Garage- 8A REVENUE</b> (Sales Tax Excluded)		<b>37,372.32</b>	<b>32,056.84</b>	<b>(5,315.48)</b>	<b>-14.22%</b>	<b>\$51.70</b>
<b>Expenses</b>						
Security Personnel		7,251.57	13,747.56	6,495.99	(1).	
Attendant/Cashier Labor		3,848.22	5,028.86	1,180.64	(2).	
FP&L		1,805.96	2,042.89	236.93	(3).	
Revenue Control Equipment Maintenance		0.00	3,724.66	3,724.66	(4).	
Elevator Maintenance		430.00	430.00	0.00		
Landscape Maintenance		0.00	0.00	0.00		
Garage Cleaning/Maintenance		3,392.00	3,392.00	0.00		
<b>42nd St. Garage - 8A EXPENSES</b>		<b>16,727.75</b>	<b>28,365.97</b>	<b>11,638.22</b>	<b>69.57%</b>	<b>\$45.75</b>
<b>42nd St. Garage PROFIT/(LOSS)</b>		<b>20,644.57</b>	<b>3,690.87</b>	<b>(16,953.70)</b>	<b>-82.12%</b>	<b>\$5.95</b>
<b>Number of Spaces</b>						<b>620</b>

**Notes:**

The primary users of this facility are monthly parkers engaged in local business.

(1). September 2004 Security Personnel figure consist of only 591.00 total hours . While, September 2005 Security Personnel figure consist of only 1,148.50 total hours.

(2). September 2004 Attendant/Cashier Labor figure consists of \$ 3,848.22 total labor cost . While, September 2005 Attendant/Cashier Labor figure consists of \$5,028.86 total labor cost. The increase is due to new "Living Wage" requirements.

(3). September 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is an estimate based on the average of the FP&L charges from October 2003 through February 2004.

(4). September 2005 Revenue Control Equipment Maintenance figure consists of \$1,891.66 regular monthly charge plus \$1,833.00 for one service call.



City of Miami Beach  
Parking Department  
Daily Revenue Reports  
42nd Street Garage - 8A

September-05

Date	Day	Total Vehicle Entries	Daily Ticket Revenue
1	Thursday	708	173.83
2	Friday	735	154.21
3	Saturday	627	-
4	Sunday	537	-
5	Monday	327	-
6	Tuesday	607	172.90
7	Wednesday	613	142.06
8	Thursday	614	171.96
9	Friday	633	115.89
10	Saturday	529	-
11	Sunday	344	3,210.28
12	Monday	580	121.50
13	Tuesday	570	154.21
14	Wednesday	656	213.08
15	Thursday	687	156.07
16	Friday	666	119.63
17	Saturday	490	-
18	Sunday	358	-
19	Monday	440	69.16
20	Tuesday	18	-
21	Wednesday	520	214.95
22	Thursday	522	136.45
23	Friday	580	128.97
24	Saturday	435	-
25	Sunday	329	-
26	Monday	690	195.33
27	Tuesday	627	194.39
28	Wednesday	578	155.14
29	Thursday	568	142.06
30	Friday	649	174.77
	<b>TOTAL</b>	<b>16,237</b>	<b>6,316.84</b>
<b>MONTHLY PERMIT REVENUE</b>			<b>\$25,740.00</b>
<b>TOTAL NET REVENUE</b>			<b>\$32,056.84</b>

**CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
ELECTRONIC METER REVENUE COMPARISON  
September 2005**

LOCATION	ACCOUNTING CODE	2005 September # of Spaces	2004 September	2005 September	Increase/ (Decrease)	Percent of Increase/ (Decrease)
1X - (Washington - 4th & Lincoln) - On Street	480-8000-344501	291	29,923.53	\$28,611.97	(1,311.56)	-4.38%
1A - (1st Street & Ocean Dr.) - Off Street	480-8000-344502	57	4,327.02	4,216.88		
1A - (1st Street & Ocean Dr.) - Attended	480-8000-344502	0	3,467.29	0.00		
Total		57	7,794.31	4,216.88	(3,577.43)	-45.90%
1B - (78 Washington Avenue) - Off Street	480-8000-344617	12	332.31	279.62	(52.69)	-15.86%
2X - (Washington - 5th & Lincoln) - On Street	480-8000-344503	370	34,083.15	32,474.33	(1,608.82)	-4.72%
2B - (6/7 & Meridian) - Off Street	480-8000-344505	22	0.00	459.03	459.03	-
3X - (Collins & Euclid Ave.) - On Street	480-8000-344507	68	6,207.78	8,063.45	1,855.67	29.89%
4X - (Alton 7th St.- Dade Blvd.) - On Street	480-8000-344509	491	56,015.66	80,821.98	24,806.32	44.28%
4B - (Alton & 20th St.-Purdy-Dade Blvd.) - On Street	480-8000-344511	213	14,060.79	16,042.34	1,981.55	14.09%
4C - (16th St. & Collins) - Off Street	480-8000-344512	66	8,790.72	9,418.54	627.82	7.14%
4D - (16th St. & Collins) - Off Street	480-8000-344513	30	2,254.95	3,203.52	948.57	42.07%
5C - (Convention Ctr. Dr. & 17th Street) - Off Street	480-8000-344517	85	1,588.52	2,143.82		
5C - (Convention Ctr. Dr. & 17th Street) - Attended	480-8000-344517	0	0.00	0.00		
Total		85	1,588.52	2,143.82	555.30	34.96%
5F - (Meridian Ave & 18th Street) - Off Street	480-8000-344519	97	9.16	843.13		
5F - (Meridian Ave & 18th Street) - Attended	480-8000-344519	0	0.00	0.00		
Total		97	9.16	843.13	833.97	9104.48%
5H - (19th Street & Meridian Ave) - Off Street	480-8000-344521	27	0.00	534.84	534.84	-
5M - (17th & Meridian Ave) - Off Street	480-8000-344506	27	1,522.26	2,157.04	634.78	41.70%
6X - (Collins - 20th to 24th St) - On Street	480-8000-344522	236	18,849.40	31,054.59	12,205.19	64.75%
6A - (22nd Street & Park) - Off Street	480-8000-344523	14	634.99	964.86	329.87	51.95%
6B - (Collins Ave & 21st Street) - Off Street	480-8000-344524	190	11,665.05	19,955.54		
6B - (Collins Ave & 21st Street) - Attended	480-8000-344524	0	0.00	0.00		
Total		190	11,665.05	19,955.54	8,290.49	71.07%
7X - (Ocean - Biscayne - 15th St) - On Street	480-8000-344525	442	46,001.84	55,477.42	9,475.58	20.60%
7A - (Collins Ave, 4th to 15th St) - On Street	480-8000-344526	591	86,068.25	122,811.70	36,743.45	42.69%
7C - (Collins Ave & 6th St) - Off Street	480-8000-344528	14	341.67	498.96		
7C - (Collins Ave & 6th St) - Attended	480-8000-344528	0	0.00	0.00		
Total		14	341.67	498.96	157.29	46.04%
8X - (Pinetree-Alton - 40th to 42nd St) - On Street	480-8000-344530	386	10,760.07	12,066.33	1,306.26	12.14%
8A - (42nd Street Garage) - Off Street Meters	480-8000-344531	11	413.35	576.98	163.63	39.59%
8B - (42nd Street & Royal Palm) - Off Street	480-8000-344532	173	2,827.05	3,358.88		
8B - (42nd Street & Royal Palm) - Attended	480-8000-344532	0	0.00	0.00		
Total		173	2,827.05	3,358.88	531.83	18.81%
8C - (40/41 Street & Chase) - Off Street	480-8000-344533	88	910.88	1,794.01	883.13	96.95%
8D - (47th Street & Pinetree) - Off Street	480-8000-344534	16	58.08	100.67	42.59	73.33%
8E - (41st Street & Alton) - Off Street	480-8000-344535	40	1,426.05	1,984.96	558.91	39.19%
8F - (41st Street & Jefferson) - Off Street	480-8000-344536	30	399.10	313.47	(85.63)	-21.46%
9X - (Collins - 64th to 79th St) - On Street	480-8000-344537	527	22,703.49	26,538.51	3,835.02	16.89%
9A - (Harding & 71st St) - Off Street	480-8000-344538	48	1,001.82	1,788.57	786.75	78.53%
9B - (72nd St. & Collins) - Off Street	480-8000-344539	0	0.00	6,578.61		
9B - (72nd St. & Collins) - Attended	480-8000-344539	0	3,248.62	116.82		
Total		0	3,248.62	6,695.43	3,446.81	106.10%
9C (Cariyle & 71st St) - Off Street	480-8000-344540	14	0.44	159.06	158.62	36050.00%

**CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
ELECTRONIC METER REVENUE COMPARISON  
September 2005**

LOCATION	ACCOUNTING CODE	2005 September # of Spaces	2004 September	2005 September	Increase/ (Decrease)	Percent of Increase/ (Decrease)
9D - (Collins & 76th St) - Off Street	480-8000-344541	33	832.30	1,186.10	353.80	42.51%
9E - (71st St. & Harding) - Off Street	480-8000-344542	31	290.67	467.24	176.57	60.75%
9F - (75th & Collins) - Off Street	480-8000-344543	106	2,341.11	3,201.05	859.94	36.73%
10A - (Lincoln Lane & Lenox) - Off Street	480-8000-344544	70	7,469.01	15,135.11	7,666.10	102.64%
10B - (Lincoln Lane & Michigan) - Lease	480-8000-344545	0	14,583.33	14,583.33		
10B - (Lincoln Lane & Michigan) - Attended	480-8000-344545	0	0.00	0.00		
Total		0	14,583.33	14,583.33	0.00	0.00%
10C - (Lincoln Lane & Meridian) - Off Street	480-8000-344546	141	19,542.42	40,256.44	20,714.02	106.00%
10D - (Lincoln Lane & Jefferson - W) - Off Street	480-8000-344547	62	7,276.90	10,234.70	2,957.80	40.65%
10E - (Lincoln Lane & Jefferson - E) - Off Street	480-8000-344548	19	2,244.39	9,291.00	7,046.61	313.97%
10F - (Lincoln Lane & Euclid) - Off Street	480-8000-344549	36	4,368.26	8,802.79	4,434.53	101.52%
10G - (Lincoln Lane & Michigan) - Off Street	480-8000-344550	21	1,764.07	4,257.02	2,492.95	141.32%
11X - (Collins & 11th Street) - Off Street	480-8000-344551	0	0.00	0.00		
11X - (Collins & 11th Street) - Attended	480-8000-344551	0	0.00	0.00		
Total		0	0.00	0.00	0.00	-
12X - (Washington & 9th Street) - Off Street	480-8000-344552	23	2,224.04	3,483.05		
12X - (Washington & 9th Street) - Attended	480-8000-344552	0	0.00	0.00		
Total		23	2,224.04	3,483.05	1,259.01	56.61%
13X - (Washington & 10th Street) - Off Street	480-8000-344553	33	3,189.60	5,727.99		
13X - (Washington & 10th Street) - Attended	480-8000-344553	0	0.00	0.00		
Total		33	3,189.60	5,727.99	2,538.39	79.58%
15X - (16th to 18th East of Collins) - On Street	480-8000-344556	43	3,243.02	10,479.54	7,236.52	223.14%
15A - (Washington, 17th to 20th) - On Street	480-8000-344557	91	7,698.65	9,682.86	1,984.21	25.77%
15B - (Convention Center Drive) - On Street	480-8000-344558	46	1,131.58	2,436.83	1,305.25	115.35%
16X - (25th to 32nd, E of Collins) - On Street	480-8000-344559	78	5,131.11	4,647.24	(483.87)	-9.43%
16A - (35th to 43rd, E of Collins) - On Street	480-8000-344560	117	6,747.07	6,599.16	(147.91)	-2.19%
16B - (Indian Crk Dr, 27th to 32nd) - On Street	480-8000-344561	219	3,749.12	3,647.45	(101.67)	-2.71%
16C - (Indian Crk - 33rd to 43rd) - On Street	480-8000-344562	230	8,977.96	8,369.40	(608.56)	-6.78%
16D - (Collins Ave & 34th St) - Off Street	480-8000-344563	64	839.46	2,797.03		
16D - (Collins Ave & 34th St) - Attended	480-8000-344563	0	0.00	0.00		
Total		64	839.46	2,797.03	1,957.57	233.19%
16E - (Collins Ave & 35th St) - Off Street	480-8000-344564	72	2,575.19	4,311.16		
16E - (Collins Ave & 35th St) - Attended	480-8000-344564	0	0.00	0.00		
Total		72	2,575.19	4,311.16	1,735.97	67.41%
17X - (Collins & 13th Street) - Off Street	480-8000-344565	54	4,297.89	5,081.18		
17X - (Collins & 13th Street) - Attended	480-8000-344565	0	4,831.30	10,108.41		
Total		54	9,129.19	15,189.59	6,060.40	66.38%
18X - (Indian Crk & 65th St) - Off Street	480-8000-344567	53	293.49	563.60	270.11	92.03%
18A - (Collins & 64th St) - Off Street	480-8000-344568	67	2,501.37	3,931.86		
18A - (Collins & 64th St) - Attended	480-8000-344568	0	0.00	0.00		
Total		67	2,501.37	3,931.86	1,430.49	57.19%
19X - (Collins & 46th Street) - Off Street	480-8000-344569	449	6,599.48	14,708.49		
19X - (Collins & 46th Street) - Attended	480-8000-344569	0	3,401.88	8,037.00		
Total		449	10,001.36	22,745.49	12,744.13	127.42%
19A - (Collins & 46th Street) - On Street	480-8000-344570	19	809.63	639.14	(170.49)	-21.06%

**CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
ELECTRONIC METER REVENUE COMPARISON  
September 2005**

LOCATION	ACCOUNTING CODE	2005 September # of Spaces	2004 September	2005 September	Increase/ (Decrease)	Percent of Increase/ (Decrease)
19B - (Collins & 53rd Street) - Off Street	480-8000-344571	158	1,495.74	0.00		
19B - (Collins & 53rd Street) - Attended	480-8000-344571	0	1,247.65	2,523.35		
Total		158	2,743.39	2,523.35	(220.04)	-8.02%
20X - (Collins Ave & 27th St) - Off Street	480-8000-344572	121	2,463.97	3,036.91		
20X - (Collins Ave & 27th St) - Attended	480-8000-344572	0	0.00	0.00		
Total		121	2,463.97	3,036.91	572.94	23.25%
22X - (Carlyle & 72nd St) - Off Street	480-8000-344574	45	158.39	396.38	237.99	-
23X - (83rd & Abbott) - Off Street	480-8000-344575	25	46.41	55.41	9.00	19.39%
24X - (Normandy Isle & Bay Dr) - On Street	480-8000-344576	102	3,296.44	5,665.21	2,368.77	71.86%
24A - (Normandy Isle & Bay Dr) - Off Street	480-8000-344577	26	310.19	680.94	370.75	119.52%
24B - (Normandy Isle & Vendome) - Off Street	480-8000-344578	22	505.03	0.00	(505.03)	-100.00%
24C - (Normandy Isle & Bay Rd S/S) - Off Street	480-8000-344579	33	325.83	905.77	579.94	177.99%
25X - (Bonita Drive & 71st St) - Off Street	480-8000-344580	15	289.01	446.47	157.46	54.48%
26X - (Collins, 79th to 87th Terr) - On Street	480-8000-344581	283	1,759.14	3,779.01	2,019.87	114.82%
26Z - (Collins & 87th Street) - Off Street	480-8000-344616	15	251.18	0.00	(251.18)	-100.00%
10X - (Lincoln Lane & Lenox) - Off Street	480-8000-344582	99	10,535.78	26,938.23		
10X - (Lincoln Lane & Lenox) - Attended	480-8000-344582	0	0.00	0.00		
Total		99	10,535.78	26,938.23	16,402.45	155.68%
26A - (Collins & 80th Street) - Off Street	480-8000-344584	62	445.62	0.00	(445.62)	-100.00%
26B - (Collins & 84th Street) - Off Street	480-8000-344585	62	157.99	0.00	(157.99)	-100.00%
4E (Purdy & 18th Street) - Off Street	480-8000-344586	39	3,169.09	4,450.81		
4E (Purdy & 18th Street) - Attended	480-8000-344586	0	1,957.02	2,248.60		
Total		39	5,126.11	6,699.41	1,573.30	30.69%
8G - (40th Street & Royal Palm) - Off Street	480-8000-344592	43	1,329.48	2,036.82	707.34	53.20%
8H - (40th Street & Prairie) - Off Street	480-8000-344594	71	2,078.66	2,559.74	481.08	23.14%
26C - (Collins & 79th Street) - Off Street	480-8000-344600	34	125.11	27.10	(98.01)	-78.34%
26D - (Collins & 83rd Street) - Off Street	480-8000-344601	95	166.49	0.00	(166.49)	-100.00%
SLSP00 - (South Point Lot) - Off Street	480-8000-344602	108	5,136.88	12,491.81		
SLSP00 - (South Point Lot) - Attended	480-8000-344602	0	4,034.57	9,811.23		
Total		108	9,171.45	22,303.04	13,131.59	143.18%
4th & Alton Lot - Off Street	480-8000-344604	21	1,585.91	1,160.31	(425.60)	-26.84%
4A - 1833 Bay Road - Off Street	480-8000-344608	0	0.00	0.00	0.00	-
7D - 10-11th & Collins (Lease)	480-8000-344529	0	3,500.00	3,500.00	0.00	0.00%
10H - (Lincoln Rd. So. & Lenox) - Off Street	480-8000-344611	0	0.00	0.00	0.00	-
14A - 16th Street & Washington (Lease)	480-8000-344555	0	14,583.33	14,583.33	0.00	0.00%
P50 - (24th Street & Flamingo Drive) - Off Street	480-8000-344619	0	0.00	0.00	0.00	-
P51 - (23rd Street & Liberty Avenue East) - Off Street	480-8000-344620	0	0.00	3,147.41		
P51 - (23rd Street & Liberty Avenue East) - Attended	480-8000-344620	0	0.00	0.00		
		0	0.00	3,147.41	3,147.41	
P52 - (23rd Street & Liberty Avenue West) - Off Street	480-8000-344621	0	0.00	1,276.87		
P52 - (23rd Street & Liberty Avenue West) - Attended	480-8000-344621	0	0.00	0.00		
		0	0.00	1,276.87	1,276.87	-
P85 - (71st Street & Byron) - Off Street	480-8000-344618	0	240.44	293.37		
P85 - (71st Street & Byron) - Attended	480-8000-344618	0	829.92	0.00		
Total		0	1,070.36	293.37	(776.99)	-72.59%
<b>TOTAL</b>		<b>8,332</b>	<b>\$560,872.86</b>	<b>\$790,091.68</b>	<b>\$229,218.82</b>	<b>40.87%</b>

NOTE: ZONES WITH MULTI-SPACE PAYSTATIONS ARE ITALICIZED.

**CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
DEBIT CARD REVENUE  
September 2005**

<b>VENDOR</b>	<b># of CARDS \$25</b>	<b># of CARDS with 10% Discount \$22.50</b>	<b>MACHINE SALES \$ Amount</b>	<b>REFUNDS \$ Amount</b>	<b>TOTAL</b>
BAY SUPERMARKET	0	0			\$0.00
BEACH BANK	0	0			\$0.00
BRIGHAM GARDENS	0	0			\$0.00
CHAMBER OF COMMERCE	0	10			\$225.00
CLEAN MACHINE	0	0			\$0.00
COMPASS MARKET	0	0			\$0.00
D'VINE CYBER LOUNGE	0	0			\$0.00
FINANCE DEPARTMENT	71	39			\$2,652.50
KOSHER WORLD	0	0			\$0.00
LEE ANN DRUGS	0	50			\$1,125.00
NEWS CAFE	0	0			\$0.00
PARKING DEPT. - Customer Service	257	86			\$8,360.00
PARKING DEPT. - Garages	0	0			\$0.00
PUBLIX SUPERMARKET	0	1,440			\$32,400.00
SHEMTOV'S	0	0			\$0.00
SUNSET CAFÉ	0	0			\$0.00
PARKING MACHINE - Cash	0	0	\$670.00		\$670.00
PARKING MACHINE - Credit Cards	0	0	\$1,675.00		\$1,675.00
WOLFSONIAN	0	0			\$0.00
ZELICK'S TOBACCO	0	0			\$0.00
<b>TOTAL # OF CARDS</b>	<b>328</b>	<b>1,625</b>			<b>1,953</b>
<b>TOTAL \$ AMOUNT</b>	<b>\$8,200.00</b>	<b>\$36,562.50</b>	<b>\$2,345.00</b>	<b>\$0.00</b>	<b>\$47,107.50</b>

CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
DEBIT CARD REVENUE - YEAR TO DATE  
October 2004 - September 2005

VENDOR	# of CARDS \$25	# of CARDS with 10% Discount \$22.50	MACHINE SALES \$ Amount	REFUNDS \$ Amount	TOTAL
BAY SUPERMARKET	0	0			\$0.00
BEACH BANK	0	0			\$0.00
BRIGHAM GARDENS	0	0			\$0.00
CHAMBER OF COMMERCE	0	100			\$2,250.00
CLEAN MACHINE	0	0			\$0.00
COMPASS MARKET	0	0			\$0.00
D'VINE CYBER LOUNGE	0	0			\$0.00
FINANCE DEPARTMENT	941	629			\$37,677.50
KOSHER WORLD	0	0			\$0.00
LEE ANN DRUGS	0	410			\$9,225.00
NEWS CAFE	0	0			\$0.00
PARKING DEPT. - Customer Service	1,677	1,210		\$0.00	\$69,150.00
PARKING DEPT. - Garages	110	101			\$5,022.50
PUBLIX SUPERMARKET	0	21,245			\$478,012.50
SHEMTOV'S	0	0			\$0.00
SUNSET CAFÉ	0	0			\$0.00
PARKING MACHINE - Cash	-	-	\$23,215.00		\$23,215.00
PARKING MACHINE - Credit Cards	-	-	\$25,165.00		\$25,165.00
WOLFSONIAN	0	25			\$562.50
ZELICK'S TOBACCO	0	80			\$1,800.00
<b>TOTAL # OF CARDS</b>	<b>2,728</b>	<b>23,800</b>			<b>26,528</b>
<b>TOTAL \$ AMOUNT</b>	<b>\$68,200.00</b>	<b>\$535,500.00</b>	<b>\$48,380.00</b>	<b>\$0.00</b>	<b>\$652,080.00</b>

**CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
PROFIT & LOSS STATEMENT  
17th Street Garage - 2G**

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
17th Street Garage - 2G														
Revenue-Ticket	480-8000-344583	147,297.18	172,845.81	160,111.23	180,829.02	213,845.81	180,743.49	161,564.57	148,141.13	119,202.78	131,541.92	97,410.29	127,399.08	1,840,732.31
Revenue - Space Rental	480-8000-344583	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	75,600.00
Revenue-Monthly Permits	480-8000-344514	55,980.00	57,120.00	56,460.00	56,160.00	57,720.00	59,040.00	60,780.00	61,920.00	63,000.00	61,020.00	63,180.00	63,420.00	715,800.00
17th St. - 2G REVENUE (Sales Tax Excluded)		209,577.18	236,065.81	222,871.23	243,289.02	277,866.81	246,083.49	228,644.57	216,361.13	188,502.78	198,861.92	166,890.29	197,119.08	2,632,132.31
Expenses														
Security Personnel		21,082.12	15,849.77	15,652.84	19,941.82	15,941.80	15,727.08	18,236.29	20,387.91	21,022.22	22,012.84	17,156.01	12,134.59	215,355.29
Attendant/Cashier Labor		41,006.44	51,214.30	44,920.57	80,486.29	85,524.16	56,522.20	73,433.44	60,528.58	60,155.94	49,393.58	59,430.67	66,456.05	731,063.84
FP&L		6,473.39	5,949.62	6,369.53	6,992.30	6,892.30	4,860.13	5,921.79	6,011.85	7,618.41	6,579.41	6,220.59	6,273.08	76,052.40
Revenue Control Equipment Maintenance		1,666.67	4,551.67	2,101.67	1,666.67	1,666.67	1,666.67	1,666.67	3,999.99	3,999.99	2,133.33	1,891.66	4,466.11	31,476.77
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	433.00	433.00	433.00	5,079.00
Elevator Maintenance		483.60	425.00	425.00	425.00	425.00	425.00	425.00	425.00	425.00	833.00	667.06	2,228.92	7,632.58
Landscape and Lot Maintenance		108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	919.33	333.33	108.33	2,335.96
Garage Cleaning/Maintenance		10,820.00	10,820.00	10,820.00	10,820.00	10,820.00	10,820.00	10,820.00	10,820.00	10,820.00	10,820.00	10,820.00	10,820.00	129,840.00
17th St. - 2G EXPENSES		82,070.55	89,338.69	81,017.94	120,762.41	121,798.28	92,538.41	111,031.52	102,701.66	104,569.89	93,114.49	96,972.32	102,918.68	1,198,835.84
17th St. PROFIT/(LOSS)		127,506.63	146,727.12	141,853.29	122,526.61	156,067.53	153,544.08	117,613.05	113,659.47	83,932.89	105,747.43	69,917.97	94,200.40	1,433,296.47

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
17th Street Garage - 2G														
Revenue-Ticket	480-8000-344583	126,299.54	162,005.37	140,671.96	158,906.54	210,057.03	154,891.53	127,139.34	153,750.35	114,394.40	108,908.42	106,967.29	75,012.15	1,636,703.92
Revenue - Space Rental	480-8000-344583	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	75,600.00
Revenue-Monthly Permits	480-8000-344514	53,760.00	56,760.00	54,960.00	54,000.00	53,760.00	57,360.00	57,780.00	57,660.00	57,780.00	58,020.00	57,060.00	57,900.00	676,800.00
17th St. - 2G REVENUE (Sales Tax Excluded)		186,359.54	225,065.37	201,931.96	219,206.54	270,117.03	218,351.53	191,219.34	217,710.35	178,474.40	173,128.42	170,327.29	139,212.15	2,391,103.92
Expenses														
Security Personnel		15,896.40	16,574.30	16,602.34	15,494.05	17,601.32	16,653.45	15,804.17	19,951.32	15,922.37	16,095.17	19,972.49	14,711.73	201,479.11
Attendant/Cashier Labor		41,511.91	48,342.11	40,772.36	36,234.53	52,732.42	40,835.62	45,314.47	46,946.34	44,991.49	37,865.26	48,178.56	43,040.60	526,765.67
FP&L		6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	77,680.68
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	2,516.67	9,060.56	1,936.67	28,513.93
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	5,040.00
Elevator Maintenance		738.00	613.00	613.00	800.50	613.00	613.00	425.00	425.00	30,453.50	425.00	425.00	425.00	36,569.00
Landscape and Lot Maintenance		108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	1,503.96
Garage Cleaning/Maintenance		5,331.08	5,331.08	5,331.08	5,331.08	5,331.08	5,331.08	5,331.08	5,421.08	5,696.08	5,595.08	5,331.08	10,820.00	70,180.88
17th St. - 2G EXPENSES		72,145.78	79,628.68	72,187.17	66,628.55	84,946.21	72,101.54	75,543.11	81,616.13	105,731.83	69,498.90	89,969.41	77,935.72	947,733.23
17th St. PROFIT/(LOSS)		114,213.76	145,536.49	129,744.79	152,677.99	185,170.82	146,249.99	115,676.23	136,094.22	72,742.57	103,629.52	80,357.88	61,276.43	1,443,370.69

**CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
PROFIT & LOSS STATEMENT  
17th Street Garage - 2G**

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
<b>17th St. Garage - 2G</b>														
Revenue-Ticket	480-8000-344583	105,641.20	159,877.65	136,339.53	153,112.01	199,421.53	147,306.63	99,839.26	135,459.72	92,178.14	102,296.41	106,516.89	91,325.39	1,528,314.36
Revenue - Space Rental	480-8000-344583	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	75,600.00
Revenue-Monthly Permits	480-8000-344514	60,000.00	61,560.00	59,820.00	56,760.00	57,960.00	58,740.00	58,680.00	53,460.00	54,300.00	55,920.00	53,160.00	53,220.00	683,560.00
<b>17th St. - 2G REVENUE</b> (Sales Tax Excluded)		171,941.20	227,737.65	202,459.53	216,172.01	263,681.53	212,346.63	164,819.26	195,219.72	152,778.14	164,516.41	165,976.89	150,845.39	2,288,494.36
<b>Expenses</b>														
Security Personnel		16,561.95	16,616.47	16,549.18	20,680.62	17,432.22	16,471.66	20,612.78	16,448.34	20,600.10	16,480.25	20,599.69	16,233.62	215,266.88
Attendant/Cashier Labor		33,192.78	56,286.32	36,137.49	39,265.13	48,329.64	37,381.35	32,521.25	34,321.57	59,870.88	35,809.78	34,812.81	42,009.65	489,938.65
FP&L		5,352.35	5,507.51	6,007.59	5,672.16	9,827.33	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	77,680.67
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	20,379.04
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	455.00	525.00	420.00	6,054.62
Elevator Maintenance		613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	637.675	13,119.75
Landscape and Lot Maintenance		108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	1,299.96
Garage Cleaning/Maintenance		3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,331.08	5,331.08	5,578.58	5,331.08	5,331.08	5,331.08	51,985.98
<b>17th St. - 2G EXPENSES</b>		61,304.26	84,607.48	64,891.44	71,815.09	81,786.37	66,523.58	67,843.68	65,673.56	95,428.13	66,937.50	70,314.97	78,619.49	875,745.55
<b>17th St. PROFIT/(LOSS)</b>		110,636.94	143,130.17	137,568.09	144,356.92	181,895.16	145,823.05	96,975.58	129,546.16	57,350.01	97,578.91	95,661.92	72,225.90	1,412,748.81

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LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 TOTAL
<b>17th St. Garage - 2G</b>														
Revenue-Ticket	480-8000-344583	95,980.84	88,650.62	117,454.92	129,924.57	193,183.71	173,980.26	137,297.11	123,415.47	109,810.52	97,670.31	100,261.80	101,232.96	1,468,863.09
Revenue - Space Rental	480-8000-344583	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	75,600.00
Revenue-Monthly Permits	480-8000-344514	46,380.00	49,200.00	50,040.00	48,780.00	49,200.00	50,940.00	58,260.00	54,360.00	54,000.00	59,760.00	59,880.00	60,180.00	640,980.00
<b>17th St. - 2G REVENUE</b> (Sales Tax Excluded)		148,660.84	144,150.62	173,794.92	185,004.57	248,683.71	231,220.26	201,857.11	184,075.47	170,110.52	163,730.31	166,441.80	167,712.96	2,185,443.09
<b>Expenses</b>														
Security Personnel		12,311.04	12,073.41	11,853.44	12,243.49	12,971.98	11,674.27	12,081.92	11,200.98	13,739.92	16,653.15	19,575.84	17,759.89	164,139.33
Attendant/Cashier Labor		36,820.66	30,740.16	30,863.50	35,009.60	44,561.13	32,597.89	38,714.70	38,742.83	35,232.98	31,239.96	32,357.63	34,965.22	421,846.26
FP&L		5,519.53	5,106.15	5,446.66	5,793.30	5,678.30	5,251.72	5,381.93	5,279.30	5,704.54	5,485.43	5,460.87	6,099.82	66,207.55
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	20,000.04
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	6,206.16
Elevator Maintenance		613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	7,356.00
Landscape and Lot Maintenance		108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	1,299.96
Garage Cleaning/Maintenance		3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	39,504.00
<b>17th St. - 2G EXPENSES</b>		60,848.41	54,116.90	54,360.78	59,243.57	69,408.59	55,721.06	62,375.73	61,420.29	60,874.62	59,575.72	63,591.52	65,022.11	726,559.30
<b>17th St. PROFIT/(LOSS)</b>		87,812.43	90,033.72	119,434.14	125,761.00	179,275.12	175,499.20	139,481.38	122,655.18	109,235.90	104,154.59	102,850.28	102,690.85	1,458,883.79



CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
PROFIT & LOSS STATEMENT  
7th Street Garage - 1G

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
7th Street Garage - 1G														
Revenue-Ticket	142-8000-344404	155,800.01	128,321.49	126,085.97	152,852.34	147,168.61	217,609.34	189,803.73	167,243.46	130,259.87	194,785.25	180,609.33	135,156.09	1,905,694.48
Revenue-Monthly Permits	142-8000-344404	13,650.00	13,800.00	13,800.00	13,800.00	16,425.00	15,675.00	15,675.00	15,900.00	15,958.50	16,050.00	16,050.00	16,050.00	182,833.50
7th Street Garage - 1G REVENUE (Sales Tax Excluded)		169,450.01	142,121.49	139,885.97	166,652.34	163,593.61	233,284.34	205,478.73	183,143.46	146,217.37	210,835.25	176,659.33	151,206.09	2,088,527.99
Expenses														
Security		27,049.21	21,202.56	20,947.96	28,251.69	21,135.07	21,113.61	23,472.50	21,381.41	21,746.50	26,274.22	22,345.01	19,475.19	274,394.93
Attendant/Cashier Labor		17,782.75	17,408.81	17,511.32	27,584.05	23,751.16	24,658.06	29,921.42	24,134.11	23,788.14	23,843.16	28,979.82	28,791.90	288,140.70
Landscape Maintenance		1,605.67	918.67	2,417.67	1,946.42	1,178.67	918.67	918.67	918.67	918.67	1,036.67	15,587.67	918.67	28,884.79
FP&L		3,067.37	3,067.37	2,452.54	2,705.35	2,328.41	2,898.87	2,739.59	2,732.53	3,216.31	3,063.15	2,873.21	2,879.55	33,804.25
Revenue Control Equipment Maintenance		860.15	700.00	700.00	700.00	700.00	700.00	700.00	3,516.66	3,516.66	1,650.00	775.00	3,453.35	17,971.82
Garage Cleaning/Maintenance		9,242.00	9,242.00	9,242.00	9,242.00	9,242.00	9,242.00	9,242.00	9,242.00	9,242.00	9,242.00	9,242.00	9,242.00	110,904.00
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	433.00	433.00	433.00	5,079.00
Elevator Maintenance		1,065.17	1,065.17	1,065.17	1,410.17	1,065.17	1,065.17	1,065.17	1,065.17	1,065.17	1,065.17	1,065.17	2,162.97	14,224.84
Surveillance System Maintenance		611.41	611.41	611.41	611.41	950.41	611.41	611.41	611.41	611.41	611.41	611.41	611.41	7,675.92
7th St. Garage - 1G EXPENSES		61,703.73	54,633.99	55,366.07	72,451.09	60,770.89	61,417.79	69,090.76	64,021.96	64,532.86	67,208.78	81,912.29	67,968.04	781,080.25
7th St. - 1G Estimated Debt Service		59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	714,000.00
7th St. - 1G PROFIT/(LOSS)		48,246.28	27,987.50	25,017.90	34,701.25	43,322.72	112,366.55	76,887.97	59,621.50	22,184.51	84,126.47	35,247.04	23,738.05	593,447.74

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LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
7th Street Garage - 1G														
Revenue-Ticket	142-8000-344404	139,529.56	139,842.06	130,241.12	167,042.06	164,871.96	219,217.76	169,714.95	173,072.90	138,058.07	172,876.64	157,222.43	82,198.12	1,853,887.63
Revenue-Monthly Permits	142-8000-344404	13,050.00	13,237.50	13,462.50	13,500.00	13,800.00	13,725.00	13,725.00	13,350.00	13,725.00	13,800.00	13,800.00	13,800.00	162,975.00
7th Street Garage - 1G REVENUE (Sales Tax Excluded)		152,579.56	153,079.56	143,703.62	180,542.06	178,671.96	232,942.76	183,439.95	186,422.90	151,783.07	186,676.64	171,022.43	95,998.12	2,016,862.63
Expenses														
Security		21,049.40	21,816.06	24,181.09	21,727.10	20,960.22	23,119.75	21,348.80	29,211.80	21,233.24	22,052.26	26,852.89	17,055.31	268,608.92
Attendant/Cashier Labor		17,797.52	17,668.48	17,422.60	17,959.47	17,642.05	18,282.80	17,863.50	17,748.27	17,815.92	17,998.44	22,276.54	19,087.97	219,573.46
Landscape Maintenance		918.67	1,114.00	918.67	918.67	848.00	918.67	918.67	918.67	918.67	14,404.67	918.67	16,581.67	40,297.70
FP&L		3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	36,808.44
Revenue Control Equipment Maintenance		700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	1,200.00	8,900.00
Garage Cleaning/Maintenance		4,864.00	4,699.00	4,765.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	5,111.50	4,864.00	9,242.00	62,729.50
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	5,040.00
Elevator Maintenance		1,729.00	1,202.00	2,271.50	985.00	1,460.42	985.00	1,202.00	2,817.42	2,592.67	2,360.17	2,360.17	2,050.17	22,015.52
Surveillance System Maintenance		534.60	534.60	744.60	534.60	534.60	534.60	534.60	534.60	2,457.18	534.60	534.60	534.60	8,547.78
7th St. Garage - 1G EXPENSES		51,080.56	51,221.51	54,480.83	51,176.21	50,496.66	52,892.19	50,919.84	59,282.13	54,068.95	66,649.01	67,984.24	69,249.09	673,521.32
7th St. - 1G Estimated Debt Service		59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	714,000.00
7th St. - 1G PROFIT/(LOSS)		41,999.00	42,358.05	29,712.79	69,865.85	68,675.30	120,550.57	73,020.01	67,640.77	38,214.12	60,527.83	49,528.19	(32,750.97)	629,341.31

CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
PROFIT & LOSS STATEMENT  
7th Street Garage - 1G

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
7th Street Garage - 1G														
Revenue-Ticket	142-8000-344404	136,186.19	137,501.35	140,246.61	148,182.44	153,858.76	221,547.82	161,549.46	174,847.57	133,750.47	164,101.85	178,871.59	120,362.30	1,871,006.41
Revenue-Monthly Permits	142-8000-344404	13,125.00	13,125.00	13,125.00	13,125.00	13,125.00	13,050.00	13,050.00	13,050.00	12,975.00	13,050.00	13,200.00	13,200.00	157,200.00
7th Street Garage - 1G REVENUE (Sales Tax Excluded)		149,311.19	150,626.35	153,371.61	161,307.44	166,983.76	234,597.82	174,599.46	187,897.57	146,725.47	177,151.85	192,071.59	133,562.30	2,028,206.41
Expenses														
Security		21,087.06	20,743.70	20,245.12	26,257.88	21,150.87	21,933.85	26,125.51	22,612.39	25,778.86	21,024.44	27,128.97	21,014.42	275,103.07
Attendant/Cashier Labor		16,755.52	25,273.02	19,806.12	17,276.43	16,664.70	17,864.64	16,755.04	16,893.83	25,407.34	16,835.01	17,385.71	17,618.06	221,365.42
Landscape Maintenance		984.00	984.00	984.00	984.00	984.00	984.00	918.67	1,067.67	918.67	10,438.67	7,363.67	918.67	27,530.02
FP&L		2,667.70	2,747.44	2,709.51	2,462.81	4,749.59	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	36,808.44
Revenue Control Equipment Maintenance		700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	8,400.00
Garage Cleaning/Maintenance		4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	5,111.50	4,864.00	4,864.00	4,864.00	58,615.50
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	455.00	525.00	420.00	6,054.62
Elevator Maintenance		985.00	985.00	985.00	985.00	985.00	985.00	1,180.88	1,264.84	1,935.44	1,180.88	1,180.88	1,285.00	13,948.92
Surveillance System Maintenance		437.00	437.00	437.00	437.00	437.00	437.00	495.00	495.00	495.00	1,855.00	1,580.00	2,810.60	9,352.60
7th St. Garage - 1G EXPENSES		48,997.46	57,251.34	48,247.93	54,484.10	51,052.34	51,183.04	54,823.65	51,482.28	63,932.36	60,420.37	62,795.60	52,708.12	657,178.59
7th St. - 1G Estimated Debt Service		59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	714,000.00
7th St. - 1G PROFIT/(LOSS)		40,813.73	33,875.01	45,623.68	47,323.34	56,431.42	123,914.78	60,475.81	76,915.29	23,293.11	57,231.48	89,775.99	21,354.18	657,027.82

LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 TOTAL
7th Street Garage - 1G														
Revenue-Ticket	142-8000-344404	98,891.68	105,333.01	144,735.13	153,866.18	138,843.74	240,191.44	171,039.15	163,294.17	139,551.83	163,218.25	175,770.79	135,339.42	1,830,074.79
Revenue-Monthly Permits	142-8000-344404	15,975.00	16,350.00	15,825.00	16,800.00	14,550.00	14,700.00	14,700.00	14,550.00	14,550.00	13,800.00	13,725.00	13,800.00	179,325.00
7th Street Garage - 1G REVENUE (Sales Tax Excluded)		114,866.68	121,683.01	160,560.13	170,666.18	153,393.74	254,891.44	185,739.15	177,844.17	154,101.83	177,018.25	189,495.79	149,139.42	2,009,399.79
Expenses														
Security		15,394.28	15,695.07	14,460.29	15,772.87	15,146.88	17,041.38	15,881.17	15,769.28	17,513.64	22,057.41	25,611.88	22,611.97	212,955.12
Attendant/Cashier Labor		15,209.20	15,854.69	16,107.91	16,346.08	16,018.67	15,976.15	16,429.77	16,357.45	15,943.55	15,952.92	16,684.59	17,149.19	194,030.17
Landscape Maintenance		984.00	984.00	984.00	984.00	984.00	984.00	984.00	984.00	984.00	984.00	984.00	984.00	11,808.00
FP&L		3,153.54	2,599.76	2,754.67	2,964.55	2,773.25	2,567.84	2,733.33	2,574.07	2,891.16	2,700.17	2,849.96	3,069.84	33,632.14
Revenue Control Equipment Maintenance		700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	8,400.00
Garage Cleaning/Maintenance		4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	58,368.00
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	6,206.16
Elevator Maintenance		985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	985.00	11,820.00
Surveillance System Maintenance		437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	437.00	5,244.00
7th St. Garage - 1G EXPENSES		42,244.20	42,636.70	41,810.05	43,570.68	42,425.98	44,072.55	43,531.45	43,186.98	44,835.53	49,197.68	53,633.61	51,318.18	542,463.59
7th St. - 1G Estimated Debt Service		59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	714,000.00
7th St. - 1G PROFIT/(LOSS)		13,122.48	19,546.31	59,250.08	67,595.50	51,467.76	151,318.89	82,707.70	75,157.19	49,766.30	68,320.57	76,362.18	38,321.24	752,936.20

CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
PROFIT & LOSS STATEMENT  
17th Street Lots - 5A East and West

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
<b>17th Street Lots - 5A East and West</b>														
Revenue-Ticket	480-8000-344515	147,540.55	134,285.03	144,999.03	157,629.02	132,532.73	164,732.73	157,110.23	156,538.30	135,651.39	154,960.57	137,957.29	132,094.40	1,756,031.27
Revenue-Valet	480-8000-344515	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Revenue-Monthly Permits	480-8000-344596	18,300.00	17,820.00	16,920.00	16,980.00	16,860.00	16,740.00	17,280.00	17,580.00	17,820.00	17,460.00	17,820.00	18,120.00	209,700.00
<b>17th Lots - 5A REVENUE</b> (Sales Tax Excluded)		165,840.55	152,105.03	161,919.03	174,609.02	149,392.73	181,472.73	174,390.23	174,118.30	153,471.39	172,420.57	155,777.29	150,214.40	1,965,731.27
<b>Expenses</b>														
Security Personnel		1,079.76	975.47	751.54	1,116.57	888.11	880.37	766.87	861.84	861.84	1,077.30	861.84	8,001.95	18,103.46
Attendant/Cashier Labor		20,964.86	23,786.82	21,613.21	39,939.99	34,545.43	32,853.50	40,220.02	31,378.04	31,915.58	27,709.22	35,303.01	39,783.53	380,003.21
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	3,999.99	3,999.99	2,133.33	2,611.66	1,891.66	26,303.32
Landscape and Lot Maintenance		502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	6,032.04
FP&L		391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	4,697.76
<b>17th Lots - 5A EXPENSES</b>		24,595.44	27,323.11	24,925.57	43,617.38	37,974.36	36,294.69	43,547.71	37,134.02	37,671.56	31,814.00	39,670.66	50,571.29	435,139.79
<b>17th Lots PROFIT/(LOSS)</b>		141,245.11	124,781.92	136,993.46	130,991.64	111,418.37	145,178.04	130,842.52	136,984.28	115,799.83	140,606.57	116,106.63	99,643.11	1,530,591.48

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
<b>17th Street Lots - 5A East and West</b>														
Revenue-Ticket	480-8000-344515	123,301.93	135,390.66	142,474.77	153,204.65	157,831.80	163,559.82	141,769.18	149,018.68	120,878.55	126,481.32	123,772.91	83,556.53	1,621,240.80
Revenue-Valet	480-8000-344515	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Revenue-Monthly Permits	480-8000-344596	16,800.00	18,360.00	15,960.00	16,200.00	15,660.00	15,660.00	16,560.00	16,800.00	17,940.00	17,820.00	17,520.00	17,700.00	202,980.00
<b>17th Lots - 5A REVENUE</b> (Sales Tax Excluded)		140,101.93	153,750.66	158,434.77	169,404.65	173,491.80	179,219.82	158,329.18	165,818.68	138,818.55	144,301.32	141,292.91	101,256.53	1,824,220.80
<b>Expenses</b>														
Security Personnel		1,404.71	738.66	880.37	662.58	1,319.03	883.44	953.99	1,128.84	883.44	828.23	1,174.86	539.89	11,396.04
Attendant/Cashier Labor		20,826.85	24,230.94	20,510.75	20,463.71	23,729.34	22,161.85	21,289.27	22,812.35	21,621.06	18,258.77	23,687.56	20,393.19	259,985.64
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	3,722.78	1,666.67	22,056.15
Landscape and Lot Maintenance		502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	6,032.04
FP&L		391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	4,697.76
<b>17th Lots - 5A EXPENSES</b>		24,792.38	27,530.42	23,951.94	23,687.11	27,609.19	25,606.11	24,804.08	26,502.01	25,065.32	21,647.82	29,479.35	23,493.90	304,169.63
<b>17th Lots PROFIT/(LOSS)</b>		115,309.55	126,220.24	134,482.83	145,717.54	145,882.61	153,613.71	133,525.10	139,316.67	113,753.23	122,653.50	111,813.56	77,762.63	1,520,051.17

**CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
PROFIT & LOSS STATEMENT  
17th Street Lots - 5A East and West**

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
17th Street Lots - 5A East and West														
Revenue-Ticket	480-8000-344515	105,889.88	120,891.93	120,890.56	132,337.75	139,792.51	139,949.44	111,002.09	127,300.47	107,680.68	111,796.59	110,433.27	99,008.57	1,426,973.74
Revenue-Valet	480-8000-344515	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Revenue-Monthly Permits	480-8000-344596	17,820.00	18,120.00	17,700.00	18,360.00	16,500.00	17,700.00	16,560.00	18,840.00	15,720.00	15,900.00	16,560.00	16,980.00	206,760.00
17th Lots - 5A REVENUE (Sales Tax Excluded)		123,709.88	139,011.93	138,590.56	150,697.75	156,292.51	157,649.44	127,562.09	146,140.47	123,400.68	127,696.59	126,993.27	115,988.57	1,633,733.74
Expenses														
Security Personnel		1,883.74	1,884.70	1,797.93	2,334.72	1,591.97	1,750.52	2,157.89	1,786.10	2,172.81	1,743.98	1,863.20	1,687.74	22,655.30
Attendant/Cashier Labor		17,939.85	30,340.05	19,183.60	21,628.82	22,409.89	20,603.96	18,238.36	18,745.80	30,790.29	17,290.61	17,265.92	20,813.79	255,250.94
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	20,359.04
Landscape and Lot Maintenance		502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	6,032.04
FP&L		386.87	350.40	332.23	322.18	565.72	391.48	391.48	391.48	391.48	391.48	391.48	391.48	4,697.76
17th Lots - 5A EXPENSES		22,379.80	34,744.49	23,483.10	26,455.06	26,736.92	24,915.30	22,957.07	23,286.72	35,523.92	21,760.41	21,689.94	25,062.35	308,995.08
17th Lots PROFIT/(LOSS)		101,330.08	104,267.44	115,107.46	124,242.69	129,555.59	132,734.14	104,605.02	122,853.75	87,876.76	105,936.18	105,303.33	90,926.22	1,324,738.66

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LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 TOTAL
17th Street Lots - 5A East and West														
Revenue-Ticket	480-8000-344515	84,476.22	86,054.63	129,752.12	132,730.72	133,767.55	155,170.88	123,970.06	119,955.85	116,868.05	108,329.32	115,012.11	102,521.07	1,408,608.58
Revenue-Valet	480-8000-344515	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Revenue-Monthly Permits	480-8000-344596	17,760.00	18,080.00	18,140.00	14,940.00	15,780.00	17,460.00	17,040.00	16,680.00	16,800.00	16,080.00	17,760.00	17,760.00	200,280.00
17th Lots - 5A REVENUE (Sales Tax Excluded)		102,236.22	102,134.63	145,892.12	147,670.72	149,547.55	172,630.88	141,010.06	136,635.85	133,668.05	124,409.32	132,772.11	120,281.07	1,608,888.58
Expenses														
Security Personnel		857.65	726.48	726.48	728.00	489.20	964.75	955.32	1,327.81	1,471.71	1,554.13	1,591.61	1,559.16	13,052.30
Attendant/Cashier Labor		17,436.09	16,120.74	17,827.14	18,512.07	19,388.97	20,846.52	21,119.07	19,675.74	17,955.12	17,566.44	19,212.48	20,568.65	226,227.03
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	20,000.04
Landscape and Lot Maintenance		502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	6,032.04
FP&L		457.83	601.13	483.88	354.56	335.36	324.34	348.11	343.62	362.67	362.54	417.81	404.38	4,796.23
17th Lots - 5A EXPENSES		20,920.91	19,617.69	21,206.84	21,763.97	22,382.87	24,304.95	24,591.84	23,576.51	21,958.84	21,652.45	23,491.24	24,699.53	270,107.64
17th Lots PROFIT/(LOSS)		81,315.31	82,516.94	124,685.28	125,906.75	127,164.68	148,325.93	116,418.22	113,119.34	111,709.21	102,756.87	109,280.87	95,581.54	1,338,780.94

CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
PROFIT & LOSS STATEMENT  
12th Street Garage - 2A

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
12th Street Garage - 2A														
Revenue-Ticket	480-8000-344504	30,426.16	28,304.67	28,033.65	33,959.80	30,588.77	41,540.19	38,421.76	33,882.20	30,041.58	37,902.81	34,535.82	20,742.99	388,380.40
Revenue-Monthly Permits	480-8000-344583	4,860.00	4,800.00	4,860.00	3,960.00	3,840.00	3,840.00	3,900.00	3,660.00	3,720.00	3,780.00	3,840.00	3,720.00	48,780.00
12th St. - 2A REVENUE (Sales Tax Excluded)		35,286.16	33,104.67	32,893.65	37,919.80	34,428.77	45,380.19	42,321.76	37,542.20	33,761.58	41,682.81	38,375.82	24,462.99	437,160.40
Expenses														
Security Personnel		9,398.15	7,498.96	7,426.42	9,748.51	12,668.78	7,509.24	8,198.43	7,574.02	7,469.33	9,139.10	5,622.91	8,549.58	100,772.43
Attendant/Cashier Labor		7,077.27	7,064.21	7,132.13	11,864.49	9,852.08	10,122.65	12,987.00	10,371.56	10,382.40	10,418.48	12,702.02	12,891.19	122,685.46
FP&L		108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	1,302.48
Elevator Maintenance		487.50	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	866.00	1,155.00	3,245.00	6,753.50
Garage Cleaning/Maintenance		1,521.00	1,285.00	1,521.00	1,521.00	1,521.00	1,521.00	1,521.00	1,521.00	1,521.00	1,521.00	1,521.00	1,521.00	18,016.00
12th St. - 2A EXPENSES		18,562.46	16,079.71	16,313.09	23,387.54	24,275.40	19,386.43	22,940.97	19,700.12	19,606.27	22,053.10	21,109.47	26,115.31	249,529.87
12th St. - 2A PROFIT/(LOSS)		16,723.70	17,024.96	16,580.56	14,532.26	10,153.37	25,993.76	19,380.79	17,842.08	14,155.31	19,629.71	17,266.35	-1,652.32	187,630.53

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
12th Street Garage - 2A														
Revenue-Ticket	480-8000-344504	26,360.74	25,345.79	24,450.45	29,463.54	29,428.03	38,480.37	31,798.13	32,760.77	25,388.79	28,747.65	30,476.60	18,809.37	342,510.23
Revenue-Monthly Permits	480-8000-344583	5,220.00	5,100.00	5,040.00	4,740.00	4,740.00	4,800.00	4,920.00	4,860.00	4,860.00	4,980.00	5,100.00	4,860.00	59,220.00
12th St. - 2A REVENUE (Sales Tax Excluded)		31,580.74	30,445.79	29,490.45	34,203.54	34,168.03	43,280.37	36,718.13	37,620.77	30,248.79	34,727.65	35,576.60	23,669.37	401,730.23
Expenses														
Security Personnel		8,219.46	8,844.80	9,107.41	8,233.17	10,306.80	8,013.11	8,245.44	10,385.76	8,230.11	7,938.69	9,365.08	6,408.01	103,307.84
Attendant/Cashier Labor		7,247.08	7,241.85	7,200.05	7,215.73	7,164.37	7,226.16	7,210.50	7,602.38	7,354.19	7,113.84	8,960.87	8,015.15	89,572.19
FP&L		108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	1,302.48
Elevator Maintenance		125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	1,302.48
Garage Cleaning/Maintenance		1,540.75	1,532.50	1,540.75	1,540.75	1,524.25	1,540.75	1,532.50	1,532.50	1,540.75	1,590.25	1,540.75	1,521.00	18,477.50
12th St. - 2A EXPENSES		17,240.83	17,852.69	18,081.75	17,223.19	19,248.96	17,013.56	17,221.98	19,764.16	17,366.59	16,876.32	24,082.24	16,177.70	218,122.01
12th St. - 2A PROFIT/(LOSS)		14,339.91	12,593.10	11,408.70	16,980.35	14,919.07	26,266.79	19,496.15	17,856.59	12,880.20	17,851.33	11,514.36	7,491.67	183,608.22

CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
PROFIT & LOSS STATEMENT  
12th Street Garage - 2A

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
12th Street Garage - 2A														
Revenue-Ticket	480-8000-344504	23,808.81	26,646.02	27,241.35	27,276.87	28,087.39	39,739.49	29,315.86	33,756.05	22,192.23	30,702.84	31,246.72	22,452.33	342,465.96
Revenue-Monthly Permits	480-8000-344593	5,340.00	5,520.00	5,220.00	4,860.00	4,920.00	5,100.00	5,040.00	4,920.00	4,860.00	5,220.00	5,400.00	5,400.00	61,800.00
12th St. - 2A REVENUE (Sales Tax Excluded)		29,148.81	32,166.02	32,461.35	32,136.87	33,007.39	44,839.49	34,355.86	38,676.05	27,052.23	35,922.84	36,646.72	27,852.33	404,265.96
Expenses														
Security Personnel		8,245.44	8,232.15	8,235.63	10,779.20	8,166.92	8,233.17	10,238.91	8,237.06	10,302.50	8,241.55	10,299.64	8,252.59	107,464.76
Attendant/Cashier Labor		7,054.55	10,280.84	6,892.87	7,315.74	6,912.77	7,052.06	6,810.78	6,945.10	10,775.85	7,487.33	7,173.01	7,672.92	92,383.82
FP&L		102.79	81.67	98.93	90.60	168.69	108.54	108.54	108.54	108.54	108.54	108.54	108.54	1,302.46
Elevator Maintenance		125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	1,041.67
Garage Cleaning/Maintenance		1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,557.25	1,532.50	1,763.50	1,540.75	1,540.75	1,532.50	19,101.75
12th St. - 2A EXPENSES		17,133.53	20,325.41	16,958.18	19,916.29	16,979.13	17,124.52	18,715.48	16,823.20	22,950.39	17,388.17	19,288.61	17,691.55	221,294.46
12th St. - 2A PROFIT/(LOSS)		12,015.28	11,840.61	15,503.17	12,220.58	16,028.26	27,714.97	15,640.38	21,852.85	4,101.84	18,534.67	17,358.11	10,160.78	182,971.50

LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 TOTAL
12th Street Garage - 2A														
Revenue-Ticket	480-8000-344504	19,351.18	20,201.87	24,554.47	26,555.85	27,769.02	43,802.33	28,116.91	29,947.18	25,610.78	29,315.51	29,535.22	20,867.59	325,627.91
Revenue-Monthly Permits	480-8000-344593	8,040.00	8,960.00	8,160.00	8,160.00	5,100.00	5,280.00	5,280.00	5,280.00	5,280.00	5,340.00	5,160.00	4,320.00	72,360.00
12th St. - 2A REVENUE (Sales Tax Excluded)		27,391.18	27,161.87	32,714.47	34,715.85	32,869.02	49,082.33	33,396.91	35,227.18	30,890.78	34,655.51	34,695.22	25,187.59	397,987.91
Expenses														
Security Personnel		5,626.00	5,647.95	4,077.36	6,053.88	5,471.53	5,445.92	5,466.54	6,157.30	6,871.50	8,471.54	9,914.88	8,846.72	78,051.12
Attendant/Cashier Labor		6,349.23	6,522.24	7,031.79	7,057.86	6,517.50	6,538.83	6,640.74	7,730.94	6,538.83	7,145.55	6,980.04	6,960.03	82,013.58
FP&L		73.28	88.02	82.31	85.34	77.11	68.73	64.09	59.51	60.30	60.94	49.38	105.95	871.96
Elevator Maintenance		125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	1,500.00
Garage Cleaning/Maintenance		1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	19,289.00
12th St. - 2A EXPENSES		13,779.26	13,988.66	12,922.21	14,927.83	13,796.89	13,784.23	13,902.12	15,675.50	15,201.38	17,408.78	18,675.05	17,643.45	181,705.66
12th St. - 2A PROFIT/(LOSS)		13,611.92	13,173.21	19,792.26	19,788.02	19,072.13	35,298.10	19,494.79	19,551.68	15,689.40	17,246.73	16,020.17	7,544.14	216,282.25

**CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
PROFIT & LOSS STATEMENT  
13th Street Garage - 17A**

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
<b>13th Street Garage - 17A</b>														
Revenue-Ticket	480-8000-344566	40,924.28	49,370.08	49,987.85	61,116.83	59,138.34	71,978.42	65,391.58	60,814.97	54,936.46	69,607.42	62,914.05	51,280.37	697,480.65
Revenue-Monthly Permits	480-8000-344527	8,400.00	8,340.00	8,640.00	8,520.00	8,520.00	8,450.00	8,160.00	7,800.00	8,040.00	7,620.00	8,460.00	9,180.00	100,140.00
<b>13th St. - 17A REVENUE (Sales Tax Excluded)</b>														
		49,324.28	57,710.08	58,627.85	69,636.83	67,658.34	80,438.42	73,551.58	68,614.97	62,976.46	77,227.42	71,374.05	60,460.37	797,600.65
<b>Expenses</b>														
Security Personnel		12,276.14	9,837.48	9,843.61	12,885.09	9,914.16	9,886.55	10,960.18	9,623.90	10,024.88	12,155.64	9,498.20	9,333.62	126,219.35
Attendant/Cashier Labor		15,477.93	15,299.85	15,169.47	24,685.51	20,272.84	16,504.59	13,862.76	11,970.10	11,178.06	11,195.64	13,982.22	14,091.26	183,700.03
Landscape Maintenance		420.67	519.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	3,107.04
FP&L		1,404.98	1,372.89	1,419.60	1,694.00	1,531.15	1,627.45	1,474.46	1,362.55	1,602.03	1,607.35	1,495.92	1,580.15	18,172.53
Revenue Control Equipment Maintenance		750.00	750.00	750.00	750.00	750.00	750.00	750.00	3,516.66	1,650.00	1,650.00	1,891.66	1,891.66	17,716.64
Elevator Maintenance		680.13	170.00	170.00	170.00	170.00	170.00	374.00	170.00	170.00	170.00	1,655.00	170.00	4,236.13
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	433.00	433.00	433.00	5,079.00
Garage Cleaning/Maintenance		1,521.00	1,521.00	1,521.00	1,521.00	1,521.00	1,521.00	1,521.00	1,521.00	1,521.00	1,521.00	1,521.00	1,521.00	18,262.00
		32,950.85	29,890.89	29,510.35	42,322.27	34,795.62	31,096.26	29,579.07	28,800.88	28,649.30	28,949.20	30,703.67	29,237.36	376,485.72
<b>13th St. - 17A EXPENSES</b>														
		16,373.43	27,819.19	29,117.50	27,314.56	32,862.72	49,342.16	43,972.51	39,814.09	34,327.16	48,278.22	40,670.38	31,223.01	421,114.93
<b>13th St. - 17A PROFIT/(LOSS)</b>														

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
<b>13th Street Garage - 17A</b>														
Revenue-Ticket	480-8000-344566	48,386.34	47,130.86	40,100.44	50,649.52	53,792.55	66,648.56	57,641.13	54,078.51	46,663.54	54,472.86	31,909.35	14,673.84	566,149.50
Revenue-Monthly Permits	480-8000-344527	7,740.00	7,680.00	8,520.00	8,100.00	8,580.00	8,280.00	7,500.00	8,460.00	9,120.00	9,120.00	8,340.00	8,400.00	99,840.00
<b>13th St. - 17A REVENUE (Sales Tax Excluded)</b>														
		56,126.34	54,810.86	48,620.44	58,749.52	62,372.55	74,928.56	65,141.13	62,538.51	55,783.54	63,592.86	40,249.35	23,073.84	665,989.50
<b>Expenses</b>														
Security Personnel		9,865.08	10,533.80	10,736.25	8,648.94	9,770.00	9,855.68	9,779.19	12,638.10	9,865.08	9,963.91	12,346.68	8,122.74	122,155.46
Attendant/Cashier Labor		15,303.89	15,397.71	15,269.80	15,170.25	15,470.86	15,516.07	15,327.27	15,273.85	15,144.77	15,166.57	18,836.90	16,921.34	188,819.28
Landscape Maintenance		216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	3,319.04
FP&L		1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	18,659.78
Revenue Control Equipment Maintenance		0.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	8,250.00
Elevator Maintenance		737.00	312.00	312.00	312.00	312.00	312.00	170.00	467.18	170.00	279.60	170.00	170.00	3,723.78
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	5,040.00
Garage Cleaning/Maintenance		1,450.00	1,450.00	1,483.00	1,450.00	1,450.00	1,483.00	1,318.00	1,318.00	1,483.00	1,318.00	1,450.00	1,521.00	17,174.00
		29,397.62	30,485.16	30,592.70	28,372.84	29,794.51	29,988.40	29,386.11	32,486.78	29,454.50	29,569.73	36,314.24	29,526.73	365,541.32
<b>13th St. - 17A EXPENSES</b>														
		26,730.72	24,325.70	18,027.74	30,376.68	32,578.04	44,970.16	35,755.02	30,049.73	26,329.04	34,023.13	3,935.11	(6,452.89)	300,648.18
<b>13th St. - 17A PROFIT/(LOSS)</b>														

CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
PROFIT & LOSS STATEMENT  
13th Street Garage - 17A

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
<b>13th Street Garage - 17A</b>														
Revenue-Ticket	480-8000-344566	44,400.00	45,402.69	45,391.52	51,063.89	53,442.14	67,925.37	52,972.45	49,388.78	43,317.00	47,741.10	52,219.62	38,794.83	593,059.3
Revenue-Monthly Permits	480-8000-344527	8,280.00	8,640.00	8,100.00	7,320.00	7,380.00	7,620.00	7,860.00	8,520.00	8,580.00	8,280.00	7,800.00	7,800.00	96,180.0
	<b>13th St. - 17A REVENUE</b>	<b>52,680.00</b>	<b>54,042.69</b>	<b>53,491.52</b>	<b>58,383.89</b>	<b>60,822.14</b>	<b>75,545.37</b>	<b>60,832.45</b>	<b>57,908.78</b>	<b>51,897.00</b>	<b>56,021.10</b>	<b>60,019.62</b>	<b>47,594.83</b>	<b>689,239.3</b>
<b>Expenses</b>														
Security Personnel		10,242.93	10,602.13	10,541.72	13,658.91	10,514.70	10,220.71	12,820.10	10,737.48	12,861.21	10,423.37	13,306.82	10,177.97	136,108.0
Attendant/Cashier Labor		14,601.28	21,909.69	14,624.04	15,326.91	14,675.83	14,744.77	14,598.18	14,460.50	21,779.99	14,556.50	14,996.27	15,185.54	191,459.5
Landscape Maintenance		216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	2,600.0
FP&L		1,150.96	1,172.72	1,276.13	1,245.87	2,179.24	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	16,859.7
Revenue Control Equipment Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	239.00	0.00	30.00	0.00	0.00	269.0
Elevator Maintenance		304.00	304.00	304.00	304.00	304.00	304.00	0.00	0.00	0.00	312.00	624.00	3,139.50	5,899.5
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	455.00	525.00	420.00	6,054.6
Garage Cleaning/Maintenance		1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,450.00	1,598.50	1,450.00	1,450.00	1,483.00	17,812.5
	<b>13th St. - 17A EXPENSES</b>	<b>28,516.02</b>	<b>36,205.39</b>	<b>28,962.74</b>	<b>32,752.54</b>	<b>29,890.62</b>	<b>28,891.31</b>	<b>31,040.11</b>	<b>29,025.81</b>	<b>38,378.53</b>	<b>28,848.52</b>	<b>32,523.74</b>	<b>32,027.66</b>	<b>377,062.9</b>
	<b>13th St. -17A PROFIT/(LOSS)</b>	<b>24,163.98</b>	<b>17,837.30</b>	<b>24,528.78</b>	<b>25,631.35</b>	<b>30,931.52</b>	<b>46,654.06</b>	<b>29,792.34</b>	<b>28,882.97</b>	<b>13,518.47</b>	<b>27,172.58</b>	<b>27,495.88</b>	<b>15,567.17</b>	<b>312,176.4</b>

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LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 TOTAL
<b>13th Street Garage - 17A</b>														
Revenue-Ticket	480-8000-344566	35,889.53	39,704.67	48,733.70	54,790.14	54,390.32	77,671.33	59,950.29	54,383.08	47,829.10	49,161.20	53,615.90	40,880.78	617,010.0
Revenue-Monthly Permits	480-8000-344527	9,180.00	8,940.00	8,760.00	8,820.00	8,220.00	7,980.00	7,620.00	7,320.00	8,340.00	7,260.00	7,980.00	8,220.00	98,640.0
	<b>13th St. - 17A REVENUE</b>	<b>45,079.53</b>	<b>48,644.67</b>	<b>57,493.70</b>	<b>63,610.14</b>	<b>62,610.32</b>	<b>85,651.33</b>	<b>67,570.29</b>	<b>61,703.08</b>	<b>56,169.10</b>	<b>56,421.20</b>	<b>61,595.90</b>	<b>49,100.78</b>	<b>715,650.0</b>
<b>Expenses</b>														
Security Personnel		7,142.75	7,108.79	7,166.41	7,119.48	6,987.61	7,147.96	7,195.87	8,245.09	8,637.02	10,823.70	12,883.59	11,049.26	101,517.5
Attendant/Cashier Labor		13,937.21	14,172.20	14,461.81	14,696.96	13,857.82	14,075.59	14,164.58	14,765.85	13,999.64	14,581.81	14,755.44	14,789.62	172,268.5
Landscape Maintenance		216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	2,600.0
FP&L		1,280.63	921.48	1,494.51	1,596.48	1,530.93	1,387.84	1,244.67	1,138.47	1,255.03	1,171.78	1,162.33	1,327.70	15,511.8
Elevator Maintenance		304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	304.00	3,648.0
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	6,206.1
Garage Cleaning/Maintenance		1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	17,796.0
	<b>13th St. - 17A EXPENSES</b>	<b>24,861.44</b>	<b>24,723.32</b>	<b>25,643.58</b>	<b>25,933.77</b>	<b>24,907.21</b>	<b>25,132.24</b>	<b>25,125.97</b>	<b>28,670.26</b>	<b>26,412.54</b>	<b>29,086.14</b>	<b>31,322.21</b>	<b>29,687.43</b>	<b>319,538.1</b>
	<b>13th St. -17A PROFIT/(LOSS)</b>	<b>20,198.09</b>	<b>23,921.35</b>	<b>31,850.12</b>	<b>37,676.37</b>	<b>37,703.11</b>	<b>60,519.09</b>	<b>42,444.32</b>	<b>35,032.82</b>	<b>29,756.56</b>	<b>27,323.06</b>	<b>30,273.69</b>	<b>19,413.35</b>	<b>396,111.9</b>



CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
PROFIT & LOSS STATEMENT  
16th Street - Anchor Garage

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
16th Street - Anchor Garage														
Revenue-Ticket	463-8000-344911	88,600.95	82,514.96	86,304.68	112,249.71	122,302.81	184,856.92	119,298.55	106,561.67	71,170.03	106,953.01	91,550.46	79,627.30	1,251,991.05
Revenue - Valet	463-8000-344587	20,704.68	21,288.74	22,288.72	15,603.28	29,600.94	14,369.16	21,817.28	25,678.51	19,607.94	34,423.36	36,415.88	27,615.87	289,416.36
Revenue-Monthly Permits	463-8000-344903	28,760.00	30,060.00	30,450.00	30,650.00	30,800.00	30,200.00	30,150.00	30,200.00	30,100.00	30,100.00	32,150.00	32,300.00	385,920.00
16th St. Anchor - REVENUE (Sales Tax Excluded)		138,065.63	133,664.70	139,044.40	158,502.99	182,703.75	229,426.08	171,265.83	162,440.18	120,877.97	171,476.37	160,116.34	139,543.17	1,907,327.41
Expenses														
Security Personnel		15,377.39	12,631.97	12,484.73	15,631.96	12,668.78	12,530.75	13,631.98	11,987.96	12,248.30	15,061.26	11,030.36	10,324.14	155,609.58
Attendant/Cashier Labor		16,056.04	16,109.36	16,350.94	26,132.55	23,955.70	22,606.20	27,423.35	22,696.42	21,660.15	21,564.66	27,446.64	26,361.19	288,363.20
FP&L		4,138.44	4,138.44	3,384.80	3,942.83	4,252.56	2,711.52	3,239.29	3,610.07	4,015.70	3,844.35	4,232.00	3,789.78	45,299.78
Revenue Control Equipment Maintenance		775.00	775.00	775.00	775.00	775.00	775.00	775.00	1,025.00	825.00	825.00	775.00	775.00	9,650.00
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	4,330.00
Elevator Maintenance		1,675.97	1,097.97	2,457.97	1,097.97	1,442.97	1,097.97	1,097.97	1,097.97	1,097.97	1,180.64	1,180.64	1,180.64	15,706.55
Landscape and Lot Maintenance		152.00	190.00	190.00	152.00	152.00	152.00	152.00	152.00	152.00	152.00	152.00	152.00	1,901.00
Garage Cleaning/Maintenance		9,242.00	9,242.00	9,242.00	9,242.00	9,242.00	9,242.00	9,242.00	9,242.00	9,242.00	9,242.00	9,242.00	9,242.00	110,904.00
Sanitation (Waste Removal)		179.01	179.01	179.01	179.01	179.01	179.01	179.01	179.01	179.01	179.01	179.01	179.01	2,148.12
Fire Alarm Service		250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	3,000.00
16th St. - Anchor EXPENSES		48,265.95	45,033.75	45,734.45	57,623.32	53,338.04	49,964.45	56,410.60	50,660.43	50,090.13	52,752.92	54,920.65	52,686.74	617,681.33
16th St. PROFIT/(LOSS)		89,799.78	88,630.95	93,309.95	100,879.67	129,365.71	179,461.63	114,855.23	111,779.75	70,787.84	118,723.45	105,195.69	86,856.43	1,289,646.08

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
16th Street - Anchor Garage														
Revenue-Ticket	463-8000-344911	76,425.24	85,206.68	86,298.69	94,562.18	118,038.51	164,273.90	101,423.32	99,099.99	74,747.67	100,624.29	100,280.84	42,528.02	1,143,529.33
Revenue - Valet	463-8000-344587	20,015.89	20,326.63	26,858.41	14,436.45	37,707.01	20,244.86	13,807.94	20,236.91	21,732.25	28,007.48	37,609.35	3,287.38	264,270.56
Revenue-Monthly Permits	463-8000-344903	26,750.00	28,200.00	29,050.00	29,550.00	28,100.00	29,494.88	28,300.00	28,200.00	29,100.00	28,250.00	27,800.00	27,550.00	328,344.86
16th St. Anchor - REVENUE (Sales Tax Excluded)		123,191.13	133,733.31	136,207.10	132,568.63	183,846.52	214,013.82	143,531.26	147,536.90	125,579.92	156,881.77	165,690.19	73,365.40	1,736,144.75
Expenses														
Security Personnel		12,428.89	10,171.83	13,395.77	13,665.72	9,837.47	13,607.43	13,622.77	17,009.29	15,641.13	13,312.95	16,536.88	10,164.07	159,394.20
Attendant/Cashier Labor		15,987.24	16,050.82	15,831.23	16,378.83	16,584.62	17,423.33	16,028.61	16,430.45	16,116.40	16,122.14	16,889.24	17,947.67	196,680.58
FP&L		3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	45,600.00
Revenue Control Equipment Maintenance		775.00	775.00	775.00	775.00	775.00	775.00	775.00	775.00	775.00	775.00	775.00	775.00	9,975.00
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	5,040.00
Elevator Maintenance		1,278.82	1,743.82	155.00	1,015.32	1,015.32	1,015.32	1,015.32	1,097.97	1,206.47	1,097.97	4,787.13	1,097.97	16,526.43
Landscape and Lot Maintenance		164.67	192.00	164.67	164.67	164.67	164.67	164.67	152.00	152.00	152.00	180.00	152.00	1,938.02
Garage Cleaning/Maintenance		2,924.40	2,924.00	2,924.00	2,924.00	2,924.00	2,924.00	2,924.00	4,869.00	4,864.00	4,864.00	4,864.00	4,864.00	64,194.80
Sanitation (Waste Removal)		171.64	171.64	171.43	181.96	181.96	174.34	171.64	179.01	179.01	179.01	179.01	179.01	2,119.89
Fire Alarm Service		250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	3,096.30
16th St. - Anchor EXPENSES		38,100.66	36,469.11	37,897.10	39,575.50	35,953.04	40,554.09	38,573.41	44,982.72	43,600.31	41,648.10	47,691.26	39,649.72	504,575.02
16th St. PROFIT/(LOSS)		85,090.47	97,274.20	98,320.00	92,993.13	147,892.48	173,459.53	84,957.85	102,554.18	82,079.61	115,233.67	117,998.93	33,715.68	1,231,569.73

CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
PROFIT & LOSS STATEMENT  
42nd Street Garage - 8A

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
<b>42nd Street Garage - 8A</b>														
Revenue-Ticket	480-8000-344531	2,996.27	3,087.87	2,986.91	3,523.36	5,580.37	3,684.11	3,179.44	3,264.48	2,909.35	3,046.75	5,699.53	6,316.84	46,275.28
Revenue-Monthly Permits	480-8000-344595	34,020.00	33,360.00	33,720.00	33,720.00	33,720.00	24,720.00	25,020.00	25,680.00	25,860.00	25,740.00	25,680.00	25,740.00	346,980.00
	<b>42nd St. - 8A REVENUE</b> (Sales Tax Excluded)	37,016.27	36,447.87	36,706.91	37,243.36	39,300.37	28,404.11	28,199.44	28,944.48	28,769.35	28,786.75	31,379.53	32,056.84	393,255.28
<b>Expenses</b>														
Security Personnel		10,306.80	8,245.44	8,214.77	10,306.80	8,217.83	8,245.44	8,156.48	7,960.05	8,043.84	10,054.80	6,008.94	13,747.56	107,508.75
Attendant/Cashier Labor		3,215.99	3,061.85	3,176.80	5,232.69	5,826.12	4,422.79	5,523.08	5,202.01	4,404.76	4,188.31	5,339.12	5,028.86	54,622.38
FP&L		1,805.96	1,982.13	1,927.13	1,725.18	1,964.05	1,820.02	1,856.45	1,527.52	1,861.10	1,967.00	2,081.77	2,042.89	22,561.20
Revenue Control Equipment Maintenance		0.00	110.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,891.66	3,724.66	5,726.32
Elevator Maintenance		1,819.16	430.00	430.00	430.00	430.00	430.00	430.00	430.00	430.00	430.00	591.48	430.00	6,710.64
Landscape Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Garage Cleaning/Maintenance		3,392.00	3,392.00	3,392.00	3,392.00	3,392.00	3,392.00	3,392.00	3,392.00	3,392.00	3,392.00	3,392.00	3,392.00	40,704.00
	<b>42nd St. - 8A EXPENSES</b>	20,539.91	17,221.42	17,140.70	21,086.67	19,830.00	18,310.25	19,358.01	18,511.58	18,131.70	20,032.11	19,304.97	28,365.97	237,833.29
	<b>42nd St. PROFIT/(LOSS)</b>	16,476.36	19,226.45	19,566.21	16,156.69	19,470.37	10,083.86	8,841.43	10,432.90	10,637.65	8,754.64	12,074.56	3,690.87	155,421.99

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
<b>42nd Street Garage - 8A</b>														
Revenue-Ticket	480-8000-344531	3,350.48	2,763.56	3,415.88	3,842.04	10,966.37	3,644.84	3,200.92	4,165.41	3,907.46	3,619.65	3,802.80	2,752.32	49,431.73
Revenue-Monthly Permits	480-8000-344595	34,620.00	34,980.00	35,760.00	33,780.00	35,040.00	35,100.00	35,100.00	34,440.00	34,200.00	34,500.00	24,480.00	34,620.00	406,620.00
	<b>42nd St. - 8A REVENUE</b> (Sales Tax Excluded)	37,970.48	37,743.56	39,175.88	37,622.04	46,006.37	38,744.84	38,300.92	38,605.41	38,107.46	38,119.65	28,282.80	37,372.32	456,051.73
<b>Expenses</b>														
Security Personnel		8,206.59	8,797.59	9,113.55	8,728.04	9,214.77	8,245.44	8,245.44	10,306.80	8,245.44	8,245.44	10,294.53	7,251.57	104,895.20
Attendant/Cashier Labor		3,255.18	3,257.79	3,077.53	2,837.18	4,731.24	3,317.88	3,210.77	3,537.33	3,195.09	3,027.89	4,255.78	3,848.22	41,551.86
FP&L		1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	21,671.52
Revenue Control Equipment Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Elevator Maintenance		536.00	536.00	536.00	536.00	536.00	536.00	430.00	1,190.80	430.00	430.00	430.00	430.00	6,566.80
Landscape Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	136.00	0.00	0.00	0.00	136.00
Garage Cleaning/Maintenance		1,796.50	1,780.00	1,796.50	1,796.50	1,763.50	1,780.00	1,780.00	1,780.00	1,796.50	1,837.75	1,796.50	3,392.00	23,112.25
	<b>42nd St. - 8A EXPENSES</b>	15,600.23	16,177.34	16,329.54	15,703.68	18,051.47	15,701.78	16,472.17	18,620.89	15,608.99	15,347.04	18,562.75	16,727.75	197,923.63
	<b>42nd St. PROFIT/(LOSS)</b>	22,370.25	21,566.22	22,846.34	21,918.36	27,954.90	23,043.06	22,828.75	19,984.52	22,498.47	22,772.61	9,700.05	20,644.57	258,128.10

**CITY OF MIAMI BEACH  
PARKING DEPARTMENT  
PROFIT & LOSS STATEMENT  
42nd Street Garage - 8A**

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
42nd Street Garage - 8A														
Revenue-Ticket	480-8000-344531	2,068.55	1,661.97	1,616.89	2,474.77	6,040.17	2,375.90	2,602.80	3,376.65	2,976.64	2,871.04	2,828.05	2,622.43	33,515.86
Revenue-Monthly Permits	480-8000-344595	36,300.00	35,940.00	35,840.00	34,680.00	35,160.00	34,320.00	34,440.00	34,200.00	34,680.00	34,500.00	34,500.00	34,740.00	419,100.00
42nd St. - 8A REVENUE (Sales Tax Excluded)		38,368.55	37,601.97	37,256.89	37,154.77	41,200.17	36,695.90	37,042.80	37,576.65	37,656.64	37,371.04	37,328.05	37,362.43	452,615.86
<b>Expenses</b>														
Security Personnel		10,877.14	8,244.21	8,143.74	10,305.98	8,690.43	8,230.10	10,989.83	8,988.60	11,395.97	9,140.34	11,484.72	8,883.48	115,374.54
Attendant/Cashier Labor		2,639.24	3,696.43	2,477.56	2,507.41	3,984.97	2,718.84	2,631.78	2,989.97	4,430.24	2,897.94	3,182.84	3,082.75	37,239.97
FP&L		1,539.31	1,459.55	1,341.18	1,510.98	3,178.78	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	21,671.52
Revenue Control Equipment Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	217.50	-217.50	0.00	0.00	0.00	0.00	0.00
Elevator Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	536.00	536.00	536.00	536.00	536.00	536.00	3,216.00
Landscape Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	182.00	0.00	0.00	0.00	182.00
Garage Cleaning/Maintenance		1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,796.50	1,796.50	1,780.00	16,938.00
42nd St. - 8A EXPENSES		16,340.69	14,685.19	13,247.48	15,609.37	17,139.18	14,039.90	17,466.07	15,388.03	19,635.17	16,176.74	18,806.02	15,086.19	194,622.03
42nd St. PROFIT/(LOSS)		22,027.86	22,916.78	24,009.41	21,545.40	24,060.99	22,656.00	19,576.73	22,188.62	18,021.47	21,194.30	18,522.03	21,274.24	257,993.83

LOCATION	ACCOUNTING CODE	2001 October	2001 November	2001 December	2002 January	2002 February	2002 March	2002 April	2002 May	2002 June	2002 July	2002 August	2002 September	FY 2001/2002 TOTAL
42nd Street Garage - 8A														
Revenue-Ticket	480-8000-344531	1,601.88	1,333.32	1,521.14	1,880.75	12,211.58	1,915.21	2,176.52	3,171.84	1,733.32	2,189.65	2,268.56	1,882.57	33,886.34
Revenue-Monthly Permits	480-8000-344595	21,540.00	19,200.00	19,500.00	18,060.00	16,380.00	17,040.00	18,120.00	17,760.00	18,660.00	18,300.00	36,360.00	35,700.00	256,620.00
42nd St. - 8A REVENUE (Sales Tax Excluded)		23,141.88	20,533.32	21,021.14	19,940.75	28,591.58	18,955.21	20,296.52	20,931.84	20,393.32	20,489.65	38,628.56	37,582.57	290,506.34
<b>Expenses</b>														
Security Personnel		5,790.16	8,179.71	7,737.08	7,429.88	7,516.66	7,530.52	7,768.30	7,628.81	9,240.26	11,182.27	13,105.58	12,017.45	105,126.68
Attendant/Cashier Labor		3,050.19	2,474.28	2,320.23	2,242.02	4,680.24	2,737.35	2,471.91	2,628.33	2,479.02	2,381.85	2,526.02	2,522.32	32,513.76
FP&L		1,471.76	1,480.00	744.79	1,423.20	1,433.94	1,850.98	1,647.89	1,655.88	1,650.65	1,629.72	1,368.53	1,597.13	17,944.47
Garage Cleaning/Maintenance		1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	15,420.00
42nd St. - 8A EXPENSES		11,597.11	13,418.99	12,087.10	12,380.10	14,915.84	13,403.85	13,173.10	13,198.02	14,854.93	16,478.84	18,276.13	17,421.90	171,004.91
42nd St. PROFIT/(LOSS)		11,544.77	7,114.33	8,934.04	7,560.65	13,675.74	5,551.36	7,123.42	7,733.82	5,738.39	4,010.81	20,353.43	20,160.67	119,501.43

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# MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: City Manager Jorge M. Gonzalez 

DATE: January 11, 2006

SUBJECT: **STATUS REPORT ON THE REHABILITATION OF THE EXISTING BUILDING AND CONSTRUCTION OF THE NEW FIRE STATION NO. 2.**

The improvements to Fire Station No. 2 include full historic renovation of the existing building (Building A), construction of a new facility which will include three apparatus bays and living quarters for the station's fire crews and an Emergency Operations Center (Building B).

Jasco Construction Company (Jasco) is the Construction Manager at Risk and STA Architectural Group (STA) is the architect/engineer (A/E). The Guaranteed Maximum Price (GMP) for the project is \$8,096,580. The first Notice to Proceed for construction was issued on November 22, 2004. Construction and move-in of fire personnel into Building B is expected to require 15 months. Following this, renovation of Building A, and its conversion into administrative offices, will require an estimated 13 months to be substantially complete.

Vertical construction of Building B is well underway. All structural and grade work within the building footprint has been completed. The first and second floor shell is complete. Block is currently being set for the third floor walls. The third floor roof slab is expected to be poured on January 15, 2006. The apparatus bay roof slab has been completed. The contractor continues work on the underground utilities.

A possible time-only extension to the contract is currently being negotiated with the contractor due to the recent storms and issues related to unforeseen site conditions.

The construction is estimated to be at 52% completion, the work is progressing as scheduled, and there are no major issues. Building B is scheduled to reach Substantial Completion during May 2006.

  
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# MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: City Manager Jorge M. Gonzalez

DATE: January 11, 2006

SUBJECT: **STATUS REPORT ON THE CONSTRUCTION OF FIRE STATION NO. 4**

The Notice to Proceed for the construction of the Fire Station was issued on November 15, 2004. Carivon began the site and foundation work activities. Concrete has been poured at the grade beams and stem walls. Installation of the electrical, water and drainage systems underground was completed. Carivon also completed the concrete floor slab on May 25, 2005. Vertical construction has been completed. The building is topped out and is being dried in from the elements. The roofing subcontractor is mopping in the decks in preparation for the roofing membrane. Framing for interior walls is now complete and the doorframes have been hung as the contractor prepares to install drywall. The backup power generator has now been delivered and the electrical subcontractor is in the process of installing the conduits and wires that connect it to the building's switchgear.

The construction is estimated to be at 65% completion, the work is progressing as scheduled, and there are no major issues. The fire house is still on schedule for an April, 2006 Substantial Completion.

JMG/RCM/TH/MCH/CC

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Agenda Item D

Date 1-11-06

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# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: January 11, 2006

SUBJECT: **INFORMATION REPORT TO THE MAYOR AND CITY COMMISSION, ON FEDERAL, STATE, MIAMI-DADE COUNTY, U.S. COMMUNITIES, AND ALL EXISTING CITY CONTRACTS FO RENEWAL OR EXTENSIONS IN THE NEXT 180 DAYS.**

The City Commission adopted Resolution No. 2000-24141, which provided that all existing city contracts for renewal or extensions, which by their terms or pursuant to change orders exceed \$10,000, and all extensions or renewals of such contracts, shall be presented as an informational report to the Mayor and City Commission, at least 180 days prior to the contract extension or renewal date. Subsequent thereto, the City Commission adopted Resolution No. 2001-24332, changing the reporting requirement from \$10,000 to \$25,000.

The Administration in addition to reporting on all existing City contracts, will now report information relative to Miami-Dade County, State of Florida, U.S. Communities, and Federal GSA contracts that are approved for utilization by the City Manager. Pursuant to information contained in Miami-Dade County, State of Florida, U.S. Communities and Federal General Services Administration (GSA) bid list, the following are contracts that will expire within the next 180 days:

	DESCRIPTION	VENDOR	EXPIRATION DATE	RENEWAL TERMS
1.	Armored Car Security Service	Brinks, Inc	7/7/2006	One year option remaining
2.	Investigative and Adjusting Services for Tort Liability Claims and Workers' Compensation Claims	Horizon Investigation, Inc.	5/29/2006	None

JMG/PDW/GL

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Agenda Item E  
Date 1-11-06

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**CITY OF MIAMI BEACH**  
**OFFICE OF THE MAYOR & COMMISSION**  
**MEMORANDUM**

**TO:** MAYOR AND COMMISSIONERS

**CC:** JORGE GONZALEZ  
CITY MANAGER

**FROM:** MATTI H. BOWER  
COMMISSIONER 

**DATE:** December 30, 2005

**RE:** For Your Information-Provided by the Performing Arts Center Trust

Attached please find the minutes of the November 8, 2005 PACT Board Meeting and the agenda for the January 10, 2006 Meeting.

MB/lw

RECEIVED  
2005 DEC 30 PM 12:20  
CITY MANAGER'S OFFICE  
BY \_\_\_\_\_

Agenda Item F1  
Date 1-11-06

Minutes of the Board  
Miami Performing Arts Center Trust  
November 8, 2005  
TEMPLE ISRAEL of GREATER MIAMI  
137 NORTHEAST 19TH STREET  
THE KAHN ROOM  
8:30 AM

**IN ATTENDANCE:**

Matilde Aguirre  
Stanley Arkin  
Ricky Arriola  
Bill Armstrong  
Sonia Dula  
Mike Eidson  
T. Willard Fair  
Matti Herrera-Bower  
James Herron  
Robert Ingram  
Susie Krajsa  
Stanley Levine  
Nancy Liebman  
Juan Loumiet  
Jay Pons  
Antonio Roca  
Carole Ann Taylor  
Judy Weiser  
David Wilson  
Velia Yedra

**ABSENT:**

Stu Blumberg  
Oscar Braynon II  
Sonia Burini  
Roger Carlton  
Ruth Greenfield  
Evelyn Greer  
Florene Lithcutt-Nichols  
Mario Ernesto Sanchez  
Parker Thomson  
Penny Thurer  
Marco Rubio  
Rosa Sugrañes  
Cindi Zilber

**In Attendance - PACT**

Michael Hardy  
Yadira Boada  
Hollie Altman  
Suzette Espinoza  
Jarret Haynes  
Jerry Kinsey  
Judy Litt  
Luis Palomares  
Valerie Riles-Robinson

**PACMO**

Ron Austin  
Ola Aluko

**OTHERS IN ATTENDANCE**

Roberto Espejo – CPA  
Armando Rojas – City of Miami Police Department  
Christine Molina -- City of Miami Police Department  
Charmille Walters – Latin American Caribbean Center  
Bill Johnson – Assistant County Manager, Miami-Dade County  
Adrianne Arsht – PACF Board  
Sanford Ziff  
Michael Spring – Miami-Dade Department of Cultural Affairs  
Ann McNeil  
Nancy Davis – PACF Board Member  
Betsy Kaplan  
Mitch Morales – SMG  
Rodrigo Gonzalez – Office of Mayor Carlos Alvarez

The meeting was called to order by PACT Board Vice-President Juan Loumiet.

### **President's Report**

Michael Hardy reported on the following:

- Board Retreat – Feedback by participants was positive. All Board members were mailed copies of the retreat report and action items are being worked on.
- New Employees – Introductions were made of new staff members as follows:

Hollie Altman –Facilities Rental Manager  
Suzette Espinoza – Publicist  
Jerry Kinsey – Production Manager

- Office Relocation – Some staff members of the Trust and Foundation will move to a new suite next door to the offices currently occupied. Signage in the corridors will facilitate finding the new offices.
- Chief of Staff – Dr. Hardy announced Valerie Riles Robinson's promotion to Chief of Staff.
- Opening Festival – After several meetings, the Steering Committee for the Opening Festival, co-chaired by Woody Weiser and Parker Thomson, has approved a preliminary plan for the opening of the Center. Grand opening festivities will take place October 5<sup>th</sup> through 7<sup>th</sup>, 2006. Contingency dates are scheduled in January if adverse weather conditions prevent the October celebration.
- Custodial – Engineering – Maintenance - Contract negotiations with Johnson Controls to commission the new equipment in the buildings will be finalized soon. Johnson Controls was selected to perform all custodial, engineering and building maintenance services at the Center.
- Grants – Dr. Hardy will present a \$2.5 million Regional Cultural Facilities Grant request to the State Arts Council on Wednesday, November 16.
- Events – Board members were invited to *Cars & Fish* that is scheduled for December 2, 2005, on the Plaza of the Arts.

### **Request for Excused Absences**

Valerie Riles Robinson requested retroactive excused absences for the following members:

#### **July 12, 2005 meeting**

- |                |    |     |
|----------------|----|-----|
| • Sonia Burini | -- | III |
| • Susie Krajsa | -- | III |

Requests for excused absences for November 8 were as follows:

**November 8, 2005 meeting**

- |                         |    |             |
|-------------------------|----|-------------|
| • Roger Carlton         | -- | III         |
| • Mario Ernesto Sanchez | -- | Out of town |
| • Stuart Blumberg       | -- | Out of town |
| • Evelyn Greer          | -- | Out of town |
| • Ruth Greenfield       | -- | III         |
| • Parker Thomson        | -- | III         |

A motion was made by Stanley Arkin and seconded by Matti Herrera-Bower to approve the request for excused absences. The motion passed unanimously.

**Minutes**

A motion to approve the minutes of the September 13, 2005 meeting was made by Matti Herrera-Bower and seconded by Stanley Levine. The motion passed unanimously.

**Executive Committee Report**

Juan Loumiet reported that the Executive Committee reviewed reports from all other committees. No action items were presented for voting.

**Construction Committee**

Stanley Arkin reported that construction is 89% complete. The buildings sustained minor damage from Hurricane Wilma.

The number of workers on site diminished due to Hurricanes Katrina and Wilma. The number is expected to return to the pre-hurricane level in a couple of weeks.

Ron Austin reported that the current construction budget remains accurate.

Michael Hardy updated the Board regarding the CRA's Omni streetscape project. The work is scheduled to start in January 2006 and will be completed by August 2006. The City of Miami CRA has appropriated \$4.5 million dollars for the project.

**Management Committee Report**

Juan Loumiet reported that the Management Committee is currently discussing issues regarding allocation of rehearsal space in the Ballet Opera House.

**Finance Committee Report**

David Wilson reported that the Finance Committee met via telephone and reviewed the combined PACT and PACF cash flow projections. Michael Hardy reported that the Trust should have a positive cash flow for the remainder of the calendar year.

**Governance & Nominating Committee Report**

James Herron reported that the Governance & Nominating Committee will be adding several new members to the Committee. Due to the number of action items generated at the retreat the Committee will probably be split into several sub-committees. Mr. Herron urged those who want to serve on the Committee to notify him.

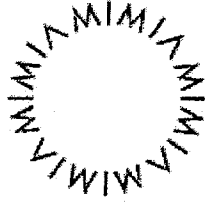
**Other Reports**

Michael Spring invited PACT Board members to attend the groundbreaking ceremony for the South Miami-Dade Cultural Center on November 29, 2005.

Meeting adjourned at 9:18 a.m.

Reported by  
Yadira E. Boada  
Assistant to the President/CEO





MIAMI PERFORMING ARTS CENTER

AGENDA

PACT BOARD MEETING  
Tuesday, January 10, 2006  
Temple Israel  
137 Northeast 19 Street  
8:30 AM

- I. Request for Excused Absences
- II. Approval of Minutes
- III. President's Report, Michael C. Hardy, PACT President & CEO
- IV. PACT Committee Reports
  - A. Executive Committee
    - 1. Restaurant Associates Agreement
    - 2. Johnson Controls Agreement
  - B. Finance Committee
    - 1. Sarbanes-Oxley Presentation – Donald Butler
  - C. Construction Committee
  - D. Management Committee
  - E. Governance and Nominating Committee
- V. Board Discussion Item
  - A. Board Contracts, Evaluations and Attendance Policy
- VI. Other Reports
  - A. Department of Cultural Affairs
  - B. PACT Board Members

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